

CR# 278101

COMMAND CHANNEL REVIEW - SUSTAINED CASE
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT

DATE INITIATED

APR 17 2003

278101

INVESTIGATOR SECTION

TO: **COMMANDING OFFICER**

UNIT: 013

PLEASE SUBMIT THIS COMMAND CHANNEL REVIEW FORM THROUGH CHANNELS WITH THE CASE FILE TO:

☐ INTERNAL AFFAIRS DIVISION

☒ OFFICE OF PROFESSIONAL STANDARDS

DATE RECEIVED BY UNIT

18 Apr 03

REVIEWED BY

TITLE

Commander

UNIT

013

DATE FORWARDED BY UNIT

DATE RECEIVED BY UNIT

25 June 03 PPO

REVIEWED BY

TITLE

Deputy Chief

DATE FORWARDED BY UNIT

1 JULY 03

DATE RECEIVED BY UNIT

18 AUG 03

AS TO KARAN MAFENS

REVIEWED BY

TITLE

Chief

UNIT

DATE FORWARDED BY UNIT

15 AUG 03

DATE RECEIVED BY UNIT

REVIEWED BY

TITLE

First Deputy Superintendent
Bureau of Operational Services

UNIT

DATE FORWARDED BY UNIT

9 Jan 04

DATE RECEIVED BY UNIT

☐ I CONCUR

☐ RECOMMEND OPTIONS BE GRANTED

☐ I DO NOT CONCUR*

☐ RECOMMEND OPTIONS NOT BE GRANTED

REVIEWED BY

TITLE

DATE FORWARDED BY UNIT

* A SEPARATE REPORT PROPOSING ALTERNATE FINDINGS AND/OR AN ALTERNATE RECOMMENDATION IS REQUIRED WHEN "I DO NOT CONCUR" HAS BEEN CHECKED

C.R. NO.

278101

CPD-44-113-A (REV. 4/99)

COMMAND CHANNEL REVIEW - SUSTAINED CASE
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT

DATE INITIATED

278101

17 APRIL 2003

INVESTIGATOR SECTION

TO:

COMMANDING OFFICER

UNIT:

008

PLEASE SUBMIT THIS COMMAND CHANNEL REVIEW FORM THROUGH CHANNELS WITH THE CASE FILE TO:

☐ INTERNAL AFFAIRS DIVISION

☒ OFFICE OF PROFESSIONAL STANDARDS

DATE RECEIVED BY UNIT

17 JUN 2003

REVIEWED BY

[Signature]
008 DISTRICT

TITLE

COMMANDER

UNIT

DATE FORWARDED BY UNIT

17 JUN 2003

DATE RECEIVED BY UNIT

26 JUN 03

REVIEWED BY

[Signature]
AREA ONE

TITLE

DEPUTY CHIEF

DATE FORWARDED BY UNIT

30 June 30

DATE RECEIVED BY UNIT

18 Aug 03

REVIEWED BY

[Signature]
142

TITLE

Chief

DATE FORWARDED BY UNIT

18 AUG 03

DATE RECEIVED BY UNIT

18 Aug 03

REVIEWED BY

[Signature]
140

TITLE

First Deputy Superintendent
Bureau of Operational Services

DATE FORWARDED BY UNIT

14 Nov 03

DATE RECEIVED BY UNIT

☐ I CONCUR

☐ RECOMMEND OPTIONS BE GRANTED

☐ I DO NOT CONCUR*

☐ RECOMMEND OPTIONS NOT BE GRANTED

REVIEWED BY

TITLE

DATE FORWARDED BY UNIT

* A SEPARATE REPORT PROPOSING ALTERNATE FINDINGS AND/OR AN ALTERNATE
RECOMMENDATION IS REQUIRED WHEN "I DO NOT CONCUR" HAS BEEN CHECKED.

C.R. NO.

278101

CPD-44.113-A (REV. 4/99)

SUMMARY REPORT-

SUBJECT: COMPLAINT REGISTER INVESTIGATION NO.:

CHICAGO POLICE DEPARTMENT

SUSTAIN

278101

DATE OF REPORT (DAY-MO.-YEAR)

06 April 2002

14 June 2002 T

INSTRUCTIONS:

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
 SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE

ATTENTION

☒ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS☐ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME

Ivette M. COTTO

RANK

Inv

STAR NO.

210

SOCIAL SEC. NO

EMPLOYEE NO.

UNIT ASSIGN.

113

REFERENCE NOS. (LIST ALL RELATED C.R., C.B., I.R., INVENTORY NOS. ETC., PERTINENT TO THIS INVESTIGATION)

RD#HH165372;

Inventory #s: 2631880, 2631881, 2631882, 2657408, 2657409, 2657410, 2657416, 2657417, 2657418, 2657419, 2657420

ADDRESS OF INCIDENT

DATE OF INCIDENT - TIME

03 February 2002 - 0230

&

Unknown date and time

BEAT OF INCIDENT

811

LOCATION CODE*

19

ACCUSED

NAME

1. MAGERS, Karen

RANK

PPO

STAR NO.

4473

SOCIAL SEC. NO.

EMPLOYEE NO.

UNIT ASSIGN.

044 013

2. TRACY, Michael

PO

14349

008

3. VASQUEZ, Vidal

Sgt

2664

008

SEX/RACE

1. F/W

D.O.B.

74

DATE OF APPOINTMENT

29 Oct 01

DUTY STATUS (TIME OF INCIDENT)

[] ON DUTY

[X] OFF DUTY

[X] SWORN

[] CIVILIAN

PHYS.

COND. CODE 01

2. M/W

48

10 Jun 75

[] ON DUTY

[X] OFF DUTY

[X] SWORN

[] CIVILIAN

06

3. M/W

61

08 Sep 86

[X] ON DUTY

[] OFF DUTY

[X] SWORN

[] CIVILIAN

01

IF APPLICABLE - DATE ARRESTED/INDICATED

1.

CHARGES

COURT BRANCH

DISPOSITION & DATE

2.

3.

COMPLAINANTS

NAME

Cpt. EVANS #70

ADDRESS**

Unit 008

CITY STATE

TELEPHONE

SEX/RACE

D.O.B./AGE

PHYS. COND. CODE

OPS Inv. Cotto #210

Unit 113

VICTIMS

NAME

ADDRESS**

CITY STATE

TELEPHONE

SEX/RACE

D.O.B./AGE

PHYS. COND. CODE

WITNESSES

NAME

ADDRESS**

CITY STATE

TELEPHONE

SEX/RACE

D.O.B./AGE

PHYS. COND. CODE

☒ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

ALLEGATIONS

SEE REPORT

INSTRUCTIONS

AFTER COMPLETING THE FORM, CONTINUE THE SUMMARY REPORT ON 8½ x 11 INCH WHITE PAPER:

1. ALLEGATIONS

In narrative form, state how, when, where, and by whom the complaint was received. State the date, time, and location where the incident occurred, and summarize the complaint. IF more than one allegation is made, enumerate each allegation as follows:

- No. 1 (Summarize the allegation)
- No. 2 (Summarize the allegation)

2. EVIDENCE

Number and attach all statements, reports, and other evidence gathered, on the lower right hand corner. The Complaint Register number must also be entered on the lower right hand corner of each attachment. Following are examples of attachments and the sequence in which they may be numbered (EXAMPLES ONLY).

Attachments:

- No. 1 Complaint Against Department Member
- No. 2 Letter of complaint from victim
- No. 3 Statement of victim
- No. 4 Statement of witness (give name)
- No. 5 Report of member (give name)
- No. 6 Statement of member (give name)
- No. 7 Progress report of investigator (give name)
- No. 8 Copy of certified letter to complainant
- No. 9 Copy of Alcoholic Influence Report (accused)
- No. 10 General Offense Case Report, R. D. _____
- No. 11 Injury on Duty Report (give name of injured)

3. INVESTIGATION

In narrative form, indicate the fact-finding processes followed and the information ascertained as a result of the investigation. Whenever reference is made to an attachment, indicate the attachment number.

4. FINDINGS

Each allegation must be classified as either of the following:

Unfounded - Exonerated - Not Sustained - Sustained.

IF the classification is "Sustained," indicate the rule number violated, the context of the rule, and how the rule was violated by the member.

Example: Allegation No. 1, Unfounded

Allegation No. 1. Sustained - Violation of Rule 12, Failure to wear the uniform as prescribed, in that on 27 Feb 84 the accused was found to be wearing a non-prescribed short sleeve shirt.

Even though the original allegation(s) may be Unfounded,

etc., the investigation may uncover a violation of serious nature unrelated to the original complain, in which case disciplinary action should be recommended for the other violation.

Example: Allegation No. 1 Unfounded

Allegation No. 2, Not Sustained

Other violation: Sustained - Violation of Rule 26, Failure to provide the Department with a current address and telephone number, in that the accused related in his statement that he had moved and obtained a new telephone number and he had failed to provide this information to the Department.

SUMMARY OF PREVIOUS DISCIPLINARY ACTIONS and RECORD OF PREVIOUS COMPLIMENTARY HISTORY

IN SUSTAINED CASES ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous final investigation report. Refer to the General Order entitled "Complain and disciplinary Procedures."

5. RECOMMENDATION FOR DISCIPLINARY ACTION

One (overall) recommendation for disciplinary action will be made by the investigator. The recommendation will be for all sustained findings; recommendations will not be made for each sustained allegation.

Examples: 1. Violation noted, no disciplinary action warranted.

2. That the accused member be reprimanded.

3. That the accused member be suspended for _____ Days (not to exceed 30 days).

4. That the accused member be separated from the Department.

6. DATE INITIATED: (Date complaint was received for investigation)

7. DATE COMPLETED: (Date of this report)

8. ELAPSED TIME: (Total time, expressed in days)

(Investigator)

Rank Name Star NO. Unit

9. APPROVALS

The investigator will initiate the Command Channel Review form (CPD-44.113) by completing the Investigator Section.

I.A.D. LOCATION CODES*

- 01 Food Sales/Restaurant
- 02 Tavern/Liquor Store
- 03 Other Business Establishment
- 04 Police Building
- 05 Lockup Facility
- 06 Police Maintenance Facility
- 07 CPD Automotive Pound Facility
- 08 Other Police Property
- 09 Police Communications System
- 10 Court Room

- 11 Public Transportation Veh./Facility
- 12 Park District Property
- 13 Airport
- 14 Public Property - Other
- 15 Other Private Premise
- 16 Expressway/Interstate System
- 17 Public Way - Other
- 18 Waterway, Incl. Park District
- 19 Private Residence

I.A.D. PHYSICAL CONDITION CODES

- 01 No Visible Injury - Apparently Normal
- 02 No Visible Injury - Under Influence
- 03 Injured, Not Hospitalized
- 04 Injured, Not Hospitalized - Under Influence
- 05 Injured, Hospitalized
- 06 Injured, Hospitalized - Under Influence
- 07 Injured, Refused Medical Aid
- 08 Injured, Refused Medical Aid - Under Influence
- 09 Deceased
- 10 Deceased - Under Influence

ADDITIONAL: (continued)

4. MCGIVNEY, Michael, Lt., Star #342, SS# [REDACTED] Employee # [REDACTED] Unit 008,
M/W, DOB: [REDACTED] 51, DOA: 22 Oct 73, On-Duty, Sworn, Code 01.

ALLEGATIONS:

On 03 February 2002, at 1435 hours, the Office of Professional Standards was contacted by an anonymous caller regarding allegations of misconduct which was confirmed and this complaint initiated by Sergeant Frances TANDYK, Star #1201, Unit 008 with Investigator FUNDAREK, Star #218. It is alleged that on 03 February 2002, at approximately 0230 hours, at [REDACTED] **PO Michael TRACY #14349**, while off-duty:

- (1) discharged a weapon without justification;
- (2) failed to make proper notifications of a weapon discharge;
- (3) failed to submit a weapon's discharge report; and
- (4) was intoxicated.

Captain Michael CZUBAK #49 and Commander Dennis RAYL further alleged that on 04 February 2002, at approximately 1200 hours, **PO Michael TRACY #14349**:

- (5) possessed a handgun that is not registered with the City of Chicago.

It is further alleged that during an unknown date and time, at [REDACTED] **PO Michael TRACY #14349**:

- (6) discharged his firearm and failed to make proper notifications.

It is further alleged that as of 03 February 2002, **PO Michael TRACY #14349**:

- (7) failed to provide the Department with a current address or telephone number.

It is further alleged that on the same date, time and location, **PPO Karen MAGERS**:

- (1) had knowledge of misconduct on the part of a Department member and failed to follow the provisions of General Order 93-3, Addendum 02A, Section II, A-5 and B-1;
- (2) received numerous telephone calls from **PO Michael TRACY #14349** indicating that he would hurt himself and took no action to ensure his well-being.

ALLEGATIONS: (continued)

It is further alleged that during an unknown date and time, at [REDACTED] PPO Karen MAGERS:

- (2) was aware of Officer TRACY accidentally discharging his firearm and failed to report same.

On 03 February 2002, at 1902 hours, Captain Robert EVANS, Star #231, Unit 008 telephoned the Office of Professional Standards and registered this complaint with Investigator LUKAS #231. It is alleged that on 03 February 2002, at approximately 0251 hours, at [REDACTED] Sergeant Vidal VASQUEZ #2664 and Lieutenant Michael MCGIVNEY #342:

- (1) responded to the scene of shots fired by a Department member and failed to ensure that the proper notifications were made;
- (2) failed to ensure that the scene of the shots fired was protected;
- (3) failed to conduct a preliminary investigation into the shots fired by a Department member;
- (4) failed to ensure that PPO Karen MAGERS submitted a written report about her knowledge of the shots fired;
- (5) failed to submit a report summarizing the facts of the shots fired incident;
- (6) failed to obtain a complaint register number, and failed to conduct a thorough preliminary investigation into the allegations of misconduct;
- (7) failed to have a Breathalyzer administered to PO Michael TRACY #342; and
- (8) failed to ensure that a hospitalization case report was completed after PO Michael TRACY #342 was transported to Rush Presb-St. Luke's Hospital.

EVIDENCE/ATTACHMENTS:

1. Complaint Against Department Member
- 1A. Complaint Against Department Member
2. Report of Sgt. Frances TANDYK, Star#1201, Unit 008, Initiation of CR#278101
3. Report of OPS Investigator Romaine FUNDAREK #218, Anonymous Caller
4. Report of Cpt. Michael CZUBAK #49, Unit 008, CR#278101
5. Report of ADS Kathryn KAJARI #415, Shots Fired By The Police
6. Report of Cpt. Robert Evans #70, Initiation of CR#278105
7. Event History Table
8. Report of OPS Investigator James LUKAS #231, Issuance of a Separate CR
9. General Offense Case Report, Criminal Damage to Property RD#HH165372
10. Report of Cpt. Michael CZUBAK #49, Unit 008, CR#278101
11. Supplementary Report, Criminal Damage to Property RD#HH165372
12. Property Inventory #2657416
13. Property Inventory #2657417
14. Property Inventory #2657418
15. Property Inventory #2657419
16. Property Inventory #2657420
17. Supplementary Report, Criminal Damage to Property RD#HH165372
18. Supplementary Report, Criminal Damage to Property RD#HH165372
19. Property Inventory #2657408
20. Property Inventory #2657409
21. Property Inventory #2657410
22. Crime Scene Processing Report
23. Request for Illinois State Police Forensics
- 23A. Report of Illinois State Police Forensics Result
24. Request for ET Photographs
- 24A-24S. ET Photographs
25. Request for OEC Transmissions
- 25A. OEC Event Query
- 25B. OEC Tape
- 25C. Report of OPS Investigator Ivette COTTO #210, OEC Tape
- 25D. OEC Beat Queries
26. Report of OPS Investigator James LUKAS #231, Request for PDT Transmissions
- 26A. OEC PDT Transmissions (02 February 2002)
27. Report of OPS Investigator James LUKAS #231, Canvass
28. Report of OPS Investigator Robert TROY #253, Response to Canvass
29. Report of OPS Investigator Robert TROY #253, Response to Canvass

EVIDENCE/ATTACHMENTS: (continued)

- 30. Report of OPS Investigator Robert TROY #253, Response to Canvass
- 31. Report of OPS Investigator Ivette COTTO #210, Employee Information
- 31A. Personnel's Employee Information
- 32. A& A Records, 03 February 2002, Unit 008, First and Second watch
- 33. CR Notification, Lt. Michael MCGIVNEY #342
- 34. CR Notification, Sgt. Vidal VASQUEZ #2664
- 35. Request for Interview/Statement/Report, Re: Lt. Michael MCGIVNEY #342 and Sgt. Vidal VASQUEZ #2664
- 36. Report of OPS Investigator Ivette COTTO #210, PDT Information
- 37. Notification of Charges, Lt. Michael MCGIVNEY #342
- 38. Administrative Proceedings Rights, Lt. Michael MCGIVNEY
- 39. Request to Secure Counsel, Lt. Michael MCGIVNEY
- 40. Notification of Charges, Sgt. Vidal VASQUEZ #2664
- 41. Administrative Proceedings Rights, Sgt. Vidal VASQUEZ
- 42. Request to Secure Counsel, Sgt. Vidal VASQUEZ
- 43. Supervisor's Management Log
- 44. Daily Assignment Activity Report
- 45. Notification of Charges, Sgt. Vidal VASQUEZ
- 46. Administrative Proceedings Rights, Sgt. Vidal VASQUEZ
- 47. Request to Secure Counsel, Sgt. Vidal VASQUEZ
- 48. Statement of Sgt. Vidal VASQUEZ
- 49. Notification of Charges, Lt. Michael MCGIVNEY
- 50. Administrative Proceedings Rights, Lt. Michael MCGIVNEY
- 51. Request to Secure Counsel, Lt. Michael MCGIVNEY
- 52. Statement of Lt. Michael MCGIVNEY
- 52A. Document Submitted by Lt. Michael MCGIVNEY
- 53. Request for Interview/Statement/Report, Sgt. Michael HENCKE #1842
- 54. Report of Commander William POWERS, Release From Powers of Arrest
- 55. Letter to Pat O'SHEA
- 55A. City of Chicago Freedom of Information Request
- 56. Statement of Sgt. Michael HENCKE
- 57. Request for Interview/Statement/Report, Officer Joseph ENGELHARDT #4941 and Officer Phillip HAYMAN #6199
- 58. Photographs of 6947 W. Archer
- 58A-58B. Photographs of 6947 W. Archer
- 59. Department of Revenue License and Tax Information
- 60. Department of Professional Regulation License Look-up

EVIDENCE/ATTACHMENTS: (continued)

61. Department of Professional Regulation License Look-up
62. Request for Time Extension
63. Request to Secure Counsel, Officer Joseph ENGELHARDT
64. Request to Secure Counsel, Officer Joseph ENGELHARDT
65. Statement of PO Joseph ENGELHARDT
66. Request to Secure Counsel, Officer Phillip HAYMAN
67. Statement of Officer Phillip HAYMAN
68. Routing Slip
69. Request for Interview/Statement/Report, Officer Michael TRACY #14349
70. Report of OPS Investigator Ivette COTTO #210, Information per Personnel
71. Notification of Charges, Probationary Police Officer Karen MAGERS
72. Administrative Proceedings Rights, Probationary Police Officer Karen MAGERS
73. Request to Secure Counsel, Probationary Police Officer Karen MAGERS
74. Notification of Charges, Probationary Police Officer Karen MAGERS
75. Administrative Proceedings Rights, Probationary Police Officer Karen MAGERS
76. Statement of Probationary Police Officer Karen MAGERS
77. Report of Probationary Police Officer Karen MAGERS, Attempt Suicide
78. Report of OPS Investigator Ivette COTTO #210, Officer Kathy BRADLEY #9815
79. Request for Interview/Statement/Report, Officer Alexandria MARTINEZ #4544
80. Notification of Charges, Officer Michael TRACY
81. Administrative Proceedings Rights, Officer Michael TRACY
82. Request to Secure Counsel, Officer Michael TRACY
83. Request to Secure Counsel, Officer Alexandria MARTINEZ
84. Notification of Charges, Officer Michael TRACY
85. Administrative Proceedings Rights, Officer Michael TRACY
86. Statement of Officer Michael TRACY
- 86A. Firearms Owners Identification Card, Officer Michael TRACY
87. Firearms Registration
88. Statement of Probationary Police Officer Kerrey SNYDER
89. Statement of Probationary Police Officer Jessica WEIR
90. Statement of Probationary Police Officer Wendy WELLER
91. Statement of Probationary Police Officer Paul BRANDAU
92. Statement of Probationary Police Officer David GRANADO
93. Request for Time Extension
94. Statement of Officer Alexandria MARTINEZ
95. Notification of Charges, Officer Michael TRACY
96. Administrative Proceedings Rights, Officer Michael TRACY

EVIDENCE/ATTACHMENTS: (continued)

- 97. Request to Secure Counsel, Officer Michael TRACY
- 98. Statement of Officer Michael TRACY
- 99. Personnel Change Notice
- 100. General Order 99-08
- 101. General Order 92-2, Addendum 5B
- 102. General Order 93-3, Addendum 2B
- 103. General Order 93-3, Addendum 5
- 104. General Order 99-01
- 105. Investigators Case Log

INVESTIGATION:

In the initiation report submitted by Sergeant Frances TANDYK #1201, she indicated that Captain Michael CZUBAK informed her that OPS had called because they had received a telephone call that shots had been fired in the residence of 5858 South Rutherford on 03 February 2002. It was also related that Chicago Police Department members reside at this location. OPS wanted the police to go to that address and check the well-being of the occupants.

Sergeant TANDYK relocated to that address Sergeant TANDYK met with PPO Karen MAGERS who allowed Sergeant TANDYK inside the residence. PPO MAGERS informed Sergeant TANDYK that her live-in boyfriend, PO Michael TRACY #14349, had gone to Rush Presbyterian Hospital's detox treatment. PPO MAGERS related that she was fine and not injured.

PPO MAGERS further related that she had arrived home early in the morning on 03 February 2002, after being called repeatedly by Officer TRACY on her cellular phone. Officer TRACY was depressed and talking suicidal. Upon coming home, PPO MAGERS observed Officer TRACY talking on the telephone, at the kitchen table with a bottle of alcohol on the table. His weapon and clip were on also on the table. PPO MAGERS took the weapon and secured it. The police soon arrived and transported Officer TRACY to the hospital.

While Sergeant TANDYK was talking with PPO MAGERS, she observed bullet holes in mirrored doors in an adjacent room. PPO MAGERS related that the bullet holes were not present prior to leaving her residence on 02 February 2002. Sergeant TANDYK spoke with Captain CZUBAK who further instructed that a complaint register number be initiated. The crime lab and detectives were requested. ADS KAJARI and Captain CZUBAK relocated to the scene. Officer TRACY's weapons were located and inventoried. (Att. #2)

On 03 February 2002, at approximately 1140 hours, an **anonymous caller** telephoned OPS and stated that he heard shots coming from [REDACTED]. The caller stated that he knew PPO MAGERS and Officer TRACY lived at that address. The caller was asked how close he was to the residence when he heard the shots fired and he replied "very close" but would provide no further information. The caller stated that he did not know who was shooting but stated that the couple was in the house when the shots were fired at approximately 0230 hours on 03 February 2002. The caller also stated that three squad cars responded. One of them took Officer TRACY to the hospital and he was admitted into the detox. The caller was asked how he knew all this and he stated that it was all related to him by other neighbors but the caller refused to identify those neighbors. The caller stated that he "definitely" heard gun shots from this residence. (Att. #3)

In the report submitted by Captain Michael CZUBAK, he reiterated essentially the same information as Sergeant TANDYK. Captain CZUBAK added that he informed ADS KAJARI, who

INVESTIGATION: (continued)

was present at the 008th District on an unrelated incident, of the circumstances at 5858 South Rutherford. Captain CZUBAK and ADS KAJARI relocated to that address.

PPO MAGERS related that she and Officer TRACY have lived together since 1997, at [REDACTED] and that one month ago they decided to end their relationship because of his drinking; however, she was allowing Officer TRACY to sleep in the bedroom in the basement until an apartment in a building they had purchased became available. On 02 February 2002, PPO MAGERS saw Officer TRACY and he was going out to dinner with his mother. PPO MAGERS left at approximately 2030 hours. Officer TRACY called PPO MAGERS numerous times on her cell phone questioning her whereabouts and requesting her to come home.

PPO MAGERS related that she arrived home at 0245 hours and observed Officer TRACY sitting at the kitchen table, talking on the telephone saying that he did not want to live any more and he hated his life. PPO MAGERS further observed his semi-automatic pistol on the table with the clip besides it. Officer Tracy was drinking a large glass of whiskey. PPO MAGERS grabbed the phone from him and told the person at the otherend to get the police immediately. Approximately five minutes later, the police arrived and transported Officer TRACY to the hospital.

Captain CZUBAK observed one bullet hole in the kitchen cabinet, one bullet hole in the kitchen wall, two bullet holes in a basement door, three bullet holes in a mirrored free standing closet in the rear bedroom and a boarded up sliding glass window leading into the backyard. A bullet hole was also observed in the swimming pool which was through-and-through. The garage had a bullet hole in the east side coinciding with the hole from the pool. Crime lab recovered four 380 cartridge cases from a garbage bag, one fired bullet recovered inside the garage in a power painter box (through-and-through bullet form the pool) and one fired bullet inside a garbage can outside, co-mingled with broken glass.

Area one Detectives responded and conducted a canvass. No witnesses were found. Three of Officer TRACY's weapons were recovered from Mr. James WALSH, who is the Operations Director of Ranger Security, which is owned by Officer TRACY. The weapons were checked clear and registered to Officer TRACY. Gun registrations check revealed that Officer TRACY has a total of six weapons registered. (The whereabouts of the additional weapons were unknown at time of Captain Czubak's report). The weapons were inventoried and hand carried to the crime lab. Captain CZUBAK contacted Rush Presbyterian hospital and confirmed that Officer TRACY was admitted. No further information on his condition was available. (Att. #4)

In the report submitted by Assistant Deputy Superintendent Kathryn KAJARI, she related

INVESTIGATION: (continued)

essentially the same information as contained in Captain CZUBAK's report. ADS KAJARI added that OEC event history records were obtained and it was learned that Beats 810 (Sergeant Vidal VASQUEZ #2664), 890 (Lieutenant Michael MCGIVNEY #342) and 846 (PO Joseph ENGELHARDT #4941 and PO Phillip HAYMAN #6199) responded to [REDACTED] during the first watch. (Att. #5)

In the supplemental initiation report submitted by Captain Robert EVANS, #70, he wrote that after conferring with 008th District Commander Dennis RAYL, a complaint register number was initiated against Lieutenant MCGIVNEY for failure to conduct a proper investigation when he responded to 5858 South Rutherford on 03 February 2002, at approximately 0251 hours. (Att. #60)

In an additional report submitted by Captain CZUBAK he wrote that on 03 February 2002, at approximately 1200 hours, he and Commander RAYL cut the lock off of locker #299 assigned to Officer TRACY in an effort to secure any weapons registered to him. A stainless steel Smith and Wesson 357 caliber revolver was recovered and inventoried along with USC money found in the locker. A weapons check with gun registration revealed the weapon was clear but not registered. It was also noted that two other weapons belonging to Officer TRACY were recovered from personnel at his security business. (Att. #10)

A case report for Criminal Damage to Property was completed and contains essentially the same information as Sergeant TANDYK's and Captain CZUBAK's report. (Att. #9)

The forensic analysis conducted on Officer TRACY's weapons in comparison to the fired bullets and cartridge cases revealed that his .380 semi-automatic pistol was in firing condition and that the fired bullet and cartridge cases came from the same .380 pistol. (Atts. #23,23A) ---

The evidence technician photos depict what appears to be a damaged door, wall and cabinet due to fired bullets. Numerous pieces of shattered glass and a broken mirror, as well as bullet hole to a pool were photographed. A fired bullet is photographed inside a box. (Atts. #24A-24S)

The Office of Emergency Communications event query and tape revealed that Beat 810 (Sergeant VASQUEZ) informed the dispatcher to hold him and Beat 811 (Officers ENGELHARDT and HAYMAN) at [REDACTED]. A few minutes later, Sergeant VASQUEZ requested that Beat 890 (Lieutenant MCGIVNEY) also respond to the location. (Atts. #25,25A-D)

A canvass was conducted in the vicinity of the incident and no witnesses were found. (Atts. #27,28,29,30)

INVESTIGATION: (continued)

The Department's Personnel Division was contacted to obtain the current address for Officer TRACY. The current address on file was 6947 W. Archer (Ranger Security/Majestic Security). (Atts. #31,31A)

In the statement taken from the witness, Sergeant Michael HENCKE #1842, on 01 March 2002, he stated that on 03 February 2002, while working first watch, he received a telephone call from Officer TRACY. He was upset and apparently wanted to talk to somebody. Officer TRACY said that his girlfriend had a boyfriend and that he should not have let her get on the job. Sergeant HENCKE stated that Officer TRACY sounded like he may have been under the influence of alcohol because he was slurring, highly excited and repetitious. Sergeant HENCKE further stated that Officer TRACY talked about shooting himself but did not make any references to actually discharging his firearm. Sergeant HENCKE contacted Sergeant VASQUEZ via PDT and told him to go to Officer TRACY's residence. Sergeant HENCKE could not recall what information he provided to Sergeant VASQUEZ.

A few minutes later, Sergeant HENCKE was contacted by a female, who identified herself as PPO MAGERS. She informed him that she retrieved Officer TRACY's gun and everything was okay. Sergeant HENCKE immediately interrupted PPO MAGERS and informed her that the police were on their way. Sergeant HENCKE stated that he made no other notifications of this telephone call other than to Sergeant Vasquez. Sergeant HENCKE said that he may have spoken with Sergeant VASQUEZ and Lieutenant MCGIVNEY during or after their response to the residence but did not recall. (Att. #56)

In the statement taken from the witness, PO Joseph ENGELHARDT #4941, on 15 March 2002, he stated that on 03 February 2002, at approximately 0230 hours, he and his partner, Officer HAYMAN, observed Sergeant VASQUEZ drive by with his lights and sirens on. Sergeant VASQUEZ waved to Officers ENGELHARDT and HAYMAN to follow. They complied but had no knowledge as to where they were going.

Upon arriving at [REDACTED] Sergeant VASQUEZ mentioned that there was a disturbance with an off-duty officer and nothing further. Sergeant VASQUEZ approached the door and a female (nka: PPO MAGERS) answered. She said nothing and Sergeant VASQUEZ followed her inside the residence. Officers ENGELHARDT and HAYMAN followed Sergeant VASQUEZ. Once inside, Sergeant VASQUEZ ordered the officers to remain in the living room which is the first room you enter inside the residence. Sergeant VASQUEZ followed PPO MAGERS into the kitchen. The kitchen can be seen from where Officers ENGELHARDT and HAYMAN were standing. At the kitchen, Officer TRACY was observed. He was seated in a chair at the table with his hand over his

INVESTIGATION: (continued)

face. Officer ENGELHARDT could not remember observing alcohol on the kitchen table. He said Sergeant VASQUEZ handed him a gun after he entered the kitchen and told him to hold it. Officer ENGELHARDT stated that he did not know where Sergeant VASQUEZ got the gun.

Immediately, Lieutenant MCGIVNEY arrived. Officer ENGELHARDT stated that he did not know who called for a lieutenant and stated that Sergeant VASQUEZ, PPO MAGERS and Officer TRACY were within eyesight and in the kitchen prior to Lieutenant MCGIVNEY's arrival. Lieutenant MCGIVNEY escorted Officer TRACY to the living room and sat him on the couch. At this time, Officer ENGELHARDT lost visual contact with Sergeant VASQUEZ and did not know where he went. Lieutenant MCGIVNEY ordered Officers ENGELHARDT and his partner to escort Officer TRACY to Rush Presbyterian hospital; psychiatric ward. Officer ENGELHARDT stated that Officer TRACY did appear to be under the influence of alcohol based on the smell of his breath and his "wobbly" walk. Officer ENGELHARDT claimed to have no knowledge regarding any shots fired or misconduct that occurred at this residence prior to his arrival. Officer ENGELHARDT stated that he had never seen PPO MAGERS prior to this incident but did know Officer TRACY because he is assigned to the 008th District. (Att. #65)

In the statement taken from witness, **PO Phillip HAYMAN**, on 15 March 2002, he stated essentially the same account of the incident as Officer ENGELHARDT. Officer HAYMAN added that when he, his partner and Sergeant VASQUEZ entered the house, they stayed with Officer TRACY who was in the kitchen while Sergeant VASQUEZ and PPO MAGERS walked away to an unknown area for an unknown reason. Upon the arrival of Lieutenant MCGIVNEY, he spoke with Sergeant VASQUEZ away from Officer HAYMAN and his partner. Officer HAYMAN stated that he observed no bullet holes at residence. Officer HAYMAN claimed to have no knowledge about what had occurred at the residence prior to his arrival. (Att. #67)

In the statement taken from the witness, **PPO Kerrey SNYDER**, she stated that on 02 February 2002, she picked up PPO MAGERS from her home and then picked up PPO Jessica WEIR. She does not recall which bar/nightclub they went to. During that evening, PPO MAGERS had received numerous telephone calls on her cellular phone in which voice mail messages were left. PPO SNYDER has no knowledge as to the extent of those messages or who left them. She stated that PPO MAGERS did not appear upset.

As PPO SYNDER was driving PPO MAGERS back home after their night out, PPO MAGERS did make a telephone call to Officer TRACY. PPO SYNDER stated that she was not listening to that conversation but did hear PPO MAGERS state, "What are you doing? Why are you talking like that?" PPO MAGERS telephoned PO Alexandra MARTINEZ #4544 next. PPO SYNDER did not

INVESTIGATION: (continued)

listen to that conversation either but did infer that PPO MAGERS was asking Officer MARTINEZ to look out her window and check PPO MAGERS' door/window for ventilation. PPO SYNDER dropped off PPO MAGERS shortly thereafter. (Att. #88)

In the statement taken from witness, **PPO Jessica WEIR**, on 03 April 2002, she stated that she had no recollection of PPO MAGERS checking her voice mail throughout the evening of 02 February 2002. After the bar/nightclub, PPO's WEIR, SNYDER and MAGERS stopped to eat. They dropped off PPO WEIR at her home.

At approximately 0230 hours, on 03 February 2002, PPO WEIR received a call on her cellular phone from a male who stated that he had been living with PPO MAGERS [Officer TRACY]. He asked PPO WEIR where PPO MAGERS was and who she was with. PPO WEIR did not know how Officer TRACY knew that she was out with PPO MAGERS but learned that later through PPO MAGERS that Officer TRACY had received her telephone number through the caller identification system on their home telephone. PPO WEIR informed Office TRACY that she did not know where PPO MAGERS was because they just dropped her off and that PPO MAGERS was with PPO SYNDER.

Approximately five minutes later, Officer TRACY called PPO WEIR again and again asked her who PPO MAGERS was with and where she was. PPO WEIR reiterated that she did not know where PPO MAGERS was. Officer TRACY told her, "Its going to blow her mind that I called you. I really love her."

On Monday, 04 February 2002, at the academy, PPO WEIR informed PPO MAGERS of the telephone calls she had received from Officer TRACY. PPO MAGERS briefly related to her that Officer TRACY had shot up the house and that the police responded. PPO WEIR had no further knowledge. (Att. #89)

In the statements taken from witnesses, **PPO Wendy WELLER**, **PPO Paul BRANDAU** and **PPO David GRANADO**, on 03 April 2002, they basically stated that they had no recollection of going to a bar/nightclub with PPO MAGERS on 02 February 2002. (Atts. #90,91,92)

In the statement taken from the witness, **PO Alexandra MARTINEZ #4544**, on 04 April 2002, she stated that on 03 February 2002, at approximately 0251 hours, she received a telephone call from her neighbor, PPO MAGERS. She asked Officer MARTINEZ to look out her window which faces the back of PPO MAGERS' house, and tell her if her sliding door was open. Officer MARTINEZ stated that it appeared that PPO MAGERS' window was open because her Venetian blinds were blowing in and out of the window. Officer MARTINEZ stated that she did not find it odd that PPO MAGERS' wanted her to check if her sliding doors were open in the middle of the night. (Att. #94)

INVESTIGATION: (continued)

In the statement taken from the accused, **Sergeant Vidal VASQUEZ**, on 21 February 2002, he stated that the only information he had prior to his arrival at [REDACTED] was that a Department member was shooting up his house. En route to this location, Sergeant VASQUEZ observed Officers ENGELHARDT and HAYMAN and motioned them to follow him.

Upon arrival, PPO MAGERS answered the door and handed him a semi-automatic pistol in a holster, unloaded with no clip. She held the clip in her other hand. PPO MAGERS did not say anything at this point. PPO MAGERS let him inside the house. Sergeant VASQUEZ handed the weapon to Beat 811 to secure. Sergeant VASQUEZ could determine from the look of the weapon that it had been discharged because it was not clean. Sergeant VASQUEZ did not check the gun registration of this vehicle.

Once inside the house, PPO MAGERS pointed to Officer TRACY who was seated at the kitchen table with his head buried in his hands and crying. An open bottle of alcohol with a semi-filled glass of presumably the same liquid was also on the table.

PPO MAGERS related that Officer TRACY, her live-in boyfriend, had been calling her all day long, approximately twelve to fifteen times, stating that he was going to kill himself. He told her that he had no reason to live, he wanted to commit suicide, he was going to shoot himself because she did not love him anymore and because they were breaking up and he had no reason to live.

Sergeant VASQUEZ attempted to speak to Officer TRACY but he was in a complete "drunken stupor." Sergeant VASQUEZ escorted Officer TRACY to the living room and ordered Officers ENGELHARDT and HAYMAN to not let him out of their sight. Sergeant VASQUEZ and PPO MAGERS toured the house. Sergeant VASQUEZ observed about nine bullet holes throughout. However, PPO MAGERS could not tell which bullet holes were old or new. She related that Officer TRACY had accidentally discharged his firearm in the past while cleaning his gun. PPO MAGERS could not provide exact dates but stated that it may have occurred once or twice. PPO MAGERS did direct Sergeant VASQUEZ to the fresh bullet holes which were in the hallway leading to the bedroom, cabinet and one that shattered a window. Sergeant VASQUEZ attempted to question Officer TRACY about discharging his firearm but he stated that he could not remember.

After touring the house, Sergeant VASQUEZ requested Beat 890, Lieutenant MCGIVNEY, to respond. Upon Lieutenant MCGIVNEY's arrival, Sergeant VASQUEZ informed him that Officer TRACY may have fired his weapon and that PPO MAGERS handed him a semi-automatic pistol. Sergeant VASQUEZ further informed him that Officer TRACY was intoxicated and had threatened to take his life. Lieutenant MCGIVNEY toured the residence with PPO MAGERS to view the bullet

INVESTIGATION: (continued)

holes. Lieutenant MCGIVNEY attempted to interview Officer TRACY but he just cried and asked to be taken to the hospital. Sergeant VASQUEZ asked Lieutenant MCGIVNEY what his direction was with the situation. Lieutenant MCGIVNEY instructed Sergeant VASQUEZ to have Officers HAYMAN and ENGELHARDT transport Officer TRACY to Rush Presbyterian hospital.

Lieutenant MCGIVNEY then returned the semi-automatic to PPO MAGERS. Lieutenant MCGIVNEY then told Sergeant VASQUEZ that he would relieve him of any investigative responsibilities and make whatever notifications necessary. Sergeant VASQUEZ completed no paperwork because he was instructed by Lieutenant MCGIVNEY not until requested. Sergeant VASQUEZ made no other notifications of this incident other than Lieutenant MCGIVNEY.

Sergeant VASQUEZ denied most of the allegations made against him. He stated that he did not fail to conduct a preliminary investigation into shots fired by a Department member because he notified his superior. He also said that he did not submit a written report about the incident because he was instructed not to by Lieutenant MCGIVNEY. He made no other notifications of this incident because Lieutenant MCGIVNEY told him that he would make any and all notifications necessary. Sergeant VASQUEZ said that he did not administer a Breathalyzer to Officer TRACY because his intoxication was not in question. Sergeant VASQUEZ admitted that he failed to ensure completion of a hospitalization case report as he was informed by Lieutenant MCGIVNEY that he would complete any and all reports. (Att. #48)

In the statement taken from the accused, Lieutenant Michael MCGIVNEY #342, on 21 February 2002, he stated essentially the same information as Sergeant VASQUEZ. He added that he was asked via the radio by Sergeant VASQUEZ to come to 5858 South Kamehewa and nothing further. Upon arrival, Lieutenant MCGIVNEY met Sergeant VASQUEZ away from Beat 811 and conversed. Sergeant VASQUEZ told him that an off-duty officer may have discharged his firearm at this location. Lieutenant MCGIVNEY entered the residence and observed Officer TRACY sitting on the living room couch. Lieutenant MCGIVNEY attempted to interview Officer TRACY but he was crying and said that he needed help and wanted to commit suicide. It was obvious to Lieutenant MCGIVNEY that Officer TRACY was drinking heavily due to smell of alcohol from him and his "unstable emotional condition."

Lieutenant MCGIVNEY toured the house and with the information received and evidence observed, Lieutenant MCGIVNEY did conclude that Officer TRACY had discharged his firearm but made no notifications. Lieutenant MCGIVNEY stated that the lack of paperwork, the failure to make proper notification and failure to conduct a thorough and proper investigation into the incident was all his fault. Lieutenant MCGIVNEY added that at the time of the incident his "immediate concern was

INVESTIGATION: (continued)

the fragile mental and emotional condition of Officer TRACY." Further, "His [Officer TRACY] statements alluding to his thoughts of suicide and desperate pleas for help stemming from alcohol abuse, focused my efforts on persuading him to recognize and accept his need for professional help and to ensure that he received this assistance as soon as possible." Lieutenant MCGIVNEY stated, "Although initiated in good conscience, my judgement was in error. Any actions taken were done upon my direction. I am solely responsible for the decisions and any failures related to the incident." (Atts. #52, 52A)

In the statement and taken from the accused, **PPO Karen MAGERS**, on 25 March 2002, she stated that she left her home at approximately 2030 hours. Officer TRACY was at their home, 5858 South Rutherford when she left for the evening, Officer TRACY was quiet. PPO MAGERS stated that he had not consumed alcohol prior to her departure. While she was out, she received about thirteen voice mail messages on her cell phone from Officer TRACY. He was telling her to come home but made no mention about hurting or killing himself. PPO MAGERS stated that he did sound as though he had been drinking because of "slurred speech" and "crackling of his voice." PPO MAGERS did not actually speak with Officer TRACY until she was on her way home. He told her that she would not have to worry about him smoking in the house and nothing further. PPO MAGERS contacted her neighbor, PO Alexandra MARTINEZ, and asked her if her door was open because Officer TRACY had indicated that she would not have to worry about him smoking anymore and the ventilation. Officer MARTINEZ informed her that her blinds were blowing form the open window.

When PPO MAGERS' arrived home, she observed that her side door was open. She entered the home and found it dark with the exception of two lights on. Officer TRACY was seated at the kitchen table, his weapon was top of the table with an empty magazine, three spent casings were on the kitchen floor. A glass that was half empty of an alcoholic beverage was also on the table. PPO MAGERS grabbed the weapon and the magazine. She put them in her waistband. Officer TRACY had a telephone to his ear. He told her that he was on the telephone with the district desk. PPO MAGERS took the phone and told the person on the other line, a male, that Officer TRACY had attempted to commit suicide and a supervisor was needed immediately because shots had been fired. Although Officer TRACY did not inform PPO MAGERS that he discharged his firearm, she presumed so because she observed the empty magazine.

The police arrived immediately and PPO MAGERS answered the door. She handed the weapon from her waistband to Sergeant VASQUEZ. She related to him what she found when she came home. PPO MAGERS and Sergeant VASQUEZ toured the house and discovered three bullet holes in a mirror cabinet, two bullet holes in a door and that a sliding door had been shattered. Lieutenant MCGIVNEY arrived. Sergeant VASQUEZ and Lieutenant MCGIVNEY told PPO MAGERS that

INVESTIGATION: (continued)

everything was going to be okay. They said they would take Officer TRACY to the hospital. They left shortly thereafter. PPO MAGERS started to cleanup and threw away the three shell casings she observed when she initially arrived home.

Later that day, Sergeant TANDYK arrived and observed the damage inside her home. Sergeant TANDYK made notifications and more police arrived, including an Evidence Technician. A criminal damage to property report was completed (RD#HH165372). PPO MAGERS submitted a To-From report of this incident to her home room instructor at the academy the following day.

(That report indicates essentially the same information as PPO MAGERS related in her statement. Additionally, it is noted that Officer TRACY had threatened to take his life and that PPO MAGERS attempted to calm him down. She then wrote that upon her arrival home, she observed Officer TRACY and noticed his weapon and empty magazine. The rest of PPO MAGERS' To-From report contains essentially the same information as her statement.) (Att. #77)

PPO MAGERS said that Officer TRACY threatened to take his life when she got home and she tried to calm him down on the telephone prior to her arrival home.

PPO MAGERS stated that sometime in 1997, Officer TRACY was showing her how to clean a gun. At that time, he accidentally discharged his firearm. PPO MAGERS said that it was discharged only once and that he had not fired his weapon again in the house until this incident. PPO MAGERS did not know if Officer TRACY reported the incident. PPO MAGERS was not a Department member at this time. PPO MAGERS denied the allegations made against her. (Att. #76)

In the statements taken by **PO Michael TRACY #14349**, on 29 March 2002, and 05 April 2002, he stated that on 03 February 2002, at approximately 0100 hours, he returned home after having dinner with his mother. He took a couple of prescription pills to ease pain that he was experiencing and has been on-going since August 2001. He also continued to consume an unknown amount of alcohol. Officer TRACY called PPO MAGERS but got her voice mail. He called her several times and left messages stating words to the effect of, "When are you? When are you coming home?" He stated that he was only concerned about where she was. Officer TRACY denied being upset at the prospect that Officer MAGERS may have a new boyfriend.

Officer TRACY, who was not feeling any better and still had a bad headache, became "frustrated and irritable." He "wanted to blow off some steam so (he) fired a couple of shots in the house." He stated that he discharged his weapon less than five times. When Officer TRACY did eventually contact PPO MAGERS, he did not tell her that he had discharged his firearm.

INVESTIGATION: (continued)

When PPO MAGERS arrived home, Officer TRACY was on the telephone with 008th District personnel. He denied telling 008th District personnel or PPO MAGERS that he wanted to hurt himself or commit suicide. The police arrived but Officer TRACY stated that he had no recollection of what occurred upon their arrival. He claimed no memory about speaking with Sergeant VASQUEZ or seeing Lieutenant MCGIVNEY. He did recall telling the patrol officers that he wanted to sign himself into a hospital. He denied wanting to hurt himself to the officers who responded. Officer TRACY stated that he completed no paperwork about this incident because he believed the police on the scene were completing the necessary paperwork.

Officer TRACY stated in 1997, he accidentally discharged his firearm at [REDACTED] while cleaning it. He stated that he contacted the 008th District desk and spoke with an officer who is now deceased. That officer told Officer TRACY that he would "take care of it." Officer TRACY completed no paperwork for this incident.

Officer TRACY denied the allegations made against him. (Atts: #86,98)

CONCLUSION:

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #1 that Officer TRACY discharged his weapon without justification. Although, Officer TRACY believes that "blowing of steam" is grounds for discharging his weapon, it clearly is a violation of Department rules and directives.

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #2 that Officer TRACY failed to make proper notifications of a weapons discharge. Officer TRACY failed to notify OEC that he discharged a weapon. Had he followed Department procedure, OEC would have made all other proper notifications. Officer TRACY has been with the Department since 1975, and there is no excuse for his lack of responsibility to follow Department directives. Furthermore, Officer TRACY had discharged his weapon and failed to follow procedures in the past (1997) and therefore had greater knowledge of what is expected in accordance with the Department.

The reporting investigator recommends a finding of **EXONERATED** for Allegation #3 that Officer TRACY failed to submit a Weapons Discharge Report. Officer TRACY did not submit a report and was not capable of submitting a report at the time. In this situation, the Weapons Discharge Report should have been completed by a supervisor.

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #4 that Officer TRACY was intoxicated. Officer TRACY admitted to consuming numerous amounts of alcoholic beverages. He was described by Sergeant VASQUEZ as being in a "drunken stupor" and indicated that he had no doubt in his mind that he was intoxicated. In fact, Sergeant VASQUEZ further stated that "Officer TRACY's intoxication was not in question." Sergeant HENCKE stated that he could allude that Officer TRACY had been consuming alcohol because he was "slurring, highly excited and repetitious."

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #5 that Officer TRACY possessed a handgun that is not registered with the City of Chicago. Although, Officer TRACY produced a Firearms Owner Identification card for his Smith and Wesson .357 (Serial #BSR8933), the weapon itself is not registered with the Department and City of Chicago.

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #6 that Officer TRACY discharged his firearm and failed to make proper notifications on an unknown date and time. Officer TRACY failed to contact OEC about the accidental discharge and managed to avoid completing any paperwork of this incident based on the improper notification.

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #7 that Officer

CONCLUSION: (continued)

TRACY failed to provide the Department with a current address or telephone number. Officer TRACY failed to inform the Department that he has resided at [REDACTED] for several years.

The reporting investigator recommends a finding of **UNFOUNDED** for Allegation #1 that PPO **MAGERS** had knowledge of misconduct on the part of a Department member and failed to follow the provisions of General Order 93-3, Addendum 02A, Section II, A-5 and B-1. Based on Sergeant **VASQUEZ**'s and Lieutenant **MCGIVNEY**'s failure to abide by Department rules and procedures, they also failed to instruct PPO **MAGERS** to complete a To/From report about the incident. PPO **MAGERS** did inform personnel at the academy about the incident and submitted a report.

The reporting investigator recommends a finding of **NOT SUSTAINED** for Allegation #2 that PPO **MAGERS** received numerous telephone calls from Officer **TRACY** indicating that he would hurt himself and she took no action. There is insufficient evidence to prove or disprove that PPO **MAGERS** had knowledge prior to her arrival home that Officer **TRACY** may hurt himself.

The reporting investigator recommends a finding of **UNFOUNDED** for Allegation #3 that PPO **MAGERS** was aware of Officer **TRACY** accidentally discharging his firearm and failing to report same. Although, PPO **MAGERS** was a witness to the accidental discharge incident in 1997, she was not a Department member at that time.

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #1 that Sergeant **VASQUEZ** responded to the scene of shots fired by a Department member and failed to ensure that the proper notifications were made. Although, Sergeant **VASQUEZ** informed Lieutenant **MCGIVNEY** about the incident, he failed to notify the Office of Emergency Communications since it was known that Officer **TRACY** had not made the proper notification and Sergeant **VASQUEZ** further failed to notify the 008th District desk sergeant. Although Sergeant **VASQUEZ** stated that he could not confirm with Officer **TRACY** that he had discharged his weapon it was obvious; PPO **MAGERS** handed him an empty magazine and a weapon. Sergeant **VASQUEZ** stated, "I could tell that it had been discharged because it wasn't clean." Furthermore, PPO **MAGERS** toured her home with Sergeant **VASQUEZ** pointing out the damage caused by Officer **TRACY**'s recent discharges.

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #2 that Sergeant **VASQUEZ** failed to ensure that the scene of the shots fired was protected. Sergeant **VASQUEZ** had knowledge that Officer **TRACY** had fired his weapon and failed to follow Department directives to secure and contain all evidence.

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #3 that Sergeant

CONCLUSION: (continued)

VASQUEZ failed to conduct a preliminary investigation into the shots fired by a Department member. Sergeant VASQUEZ had knowledge that Officer TRACY had fired his weapon and failed to follow Department directives to perform all related duties for conducting a thorough preliminary investigation.

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #4 that Sergeant VASQUEZ failed to ensure that PPO MAGERS submit a written report about her knowledge of the shots fired. Sergeant VASQUEZ had knowledge that Officer TRACY had fired his weapon and failed to follow Department directives by insuring that PPO MAGERS completed a To/From report regarding her knowledge of the incident.

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #5 that Sergeant VASQUEZ failed to submit a report summarizing the facts of the shots fired incident. Lieutenant MCGIVNEY's instructions to Sergeant VASQUEZ to not complete any paperwork does not relieve Sergeant VASQUEZ from his duties and or obligations to adhere to Department orders and directives. Sergeant VASQUEZ had knowledge that Officer TRACY had fired his weapon and failed to document anything about the incident.

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #6 that Sergeant VASQUEZ failed to obtain a CR number and conduct a thorough preliminary investigation into the allegations of misconduct. Sergeant VASQUEZ had knowledge that Officer TRACY had fired his weapon and that the discharge may be unjustified. Sergeant VASQUEZ had the responsibility to initiate a complaint register number and failed to follow Department directives which action on his part without looking to higher authority.

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #7 that Sergeant VASQUEZ failed to have a Breathalyzer administered to Officer TRACY. Sergeant VASQUEZ clearly had knowledge that Officer TRACY had consumed alcohol and that Officer TRACY's overall demeanor was indicative of intoxication but he failed to have Officer TRACY submit to a Breathalyzer.

The reporting investigator recommends a finding of **UNFOUNDED** for Allegation #8 that Sergeant VASQUEZ failed to ensure that a hospitalization case report was completed after Officer TRACY was transported to a hospital. According to General Order 99-08, "supervisors may authorize Department transportation to a mental health intake facility for persons seeking voluntary admission"; however, there is no language about any forms that must be completed by those units transporting.

CONCLUSION: (continued)

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #1 that Lieutenant MCGIVNEY responded to the scene of shots fired by a Department member and failed to ensure that the proper notifications were made. Although Lieutenant MCGIVNEY could not confirm with Officer TRACY that he had recently discharged his weapon because of his state of mind, it was still obvious from the unclean weapon and the numerous points of evidence; yet, Lieutenant MCGIVNEY failed to follow Department directives and notified no one regarding the incident.

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #2 that Lieutenant MCGIVNEY failed to ensure that the scene of the shots fired was protected. Lieutenant MCGIVNEY had knowledge that Officer TRACY had fired his weapon and failed to follow Department directives to secure and contain all evidence.

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #3 that Lieutenant MCGIVNEY failed to conduct a preliminary investigation into the shots fired by a Department member. Lieutenant MCGIVNEY had knowledge that Officer TRACY had fired his weapon and failed to follow Department directives to perform all related duties for conducting a thorough preliminary investigation.

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #4 that Lieutenant MCGIVNEY failed to ensure that PPO MAGERS submit a written report about her knowledge of the shots fired. Lieutenant MCGIVNEY had knowledge that Officer TRACY had fired his weapon and failed to follow Department directives of instructing PPO MAGERS to complete a To/From report about the incident.

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #5 that Lieutenant MCGIVNEY failed to submit a report summarizing the facts of the shots fired incident. Lieutenant MCGIVNEY had knowledge that Officer TRACY had fired his weapon and failed to document anything about the incident.

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #6 that Lieutenant MCGIVNEY failed to obtain a CR number and conduct a thorough preliminary investigation into the allegations of misconduct. Lieutenant MCGIVNEY had knowledge that Officer TRACY had fired his weapon and that the discharge may be unjustified. Lieutenant MCGIVNEY had the responsibility to initiate a complaint register number and failed to follow Department directives to conduct a thorough preliminary investigation.

The reporting investigator recommends a finding of **SUSTAINED** for Allegation #7 that Lieutenant

CONCLUSION: (continued)

MCGIVNEY failed to have a Breathalyzer administered to Officer TRACY. Lieutenant MCGIVNEY clearly had knowledge that Officer TRACY had consumed alcohol and that Officer TRACY's overall demeanor was indicative of intoxication but he failed to have Officer TRACY submit to a Breathalyzer.

The reporting investigator recommends a finding of **UNFOUNDED** for Allegation #8 that Lieutenant MCGIVNEY that he failed to ensure that a hospitalization case report was completed after Officer TRACY was transported to a hospital. According to General Order 99-08, "supervisors may authorize Department transportation to a mental health intake facility for persons seeking voluntary admission"; however, there is no language about any forms that must be completed by those units transporting.

FINDINGS:

Accused	POLICE OFFICER MICHAEL TRACY, STAR #14349, UNIT 008
Allegation #1	SUSTAINED - Violation of Rule 38, "Unlawful or unnecessary use or display of a weapon," in that, on 03 February 2002, at approximately 0251 hours, at [REDACTED], Officer TRACY, #14349, while off-duty, unnecessarily discharged his weapon.
Allegation #2	SUSTAINED - Violation of Rule 6, "Disobedience of an order or directive, whether written or oral," in that, on 03 February 2002, at approximately 0251 hours, at [REDACTED] Officer TRACY, #14349, while off-duty, disobeyed General Order 99-01, Section V, Part A, 1A-1D, when he failed to make proper notifications of a weapons discharge.
Allegation #3	EXONERATED
Allegation #4	SUSTAINED - Violation of Rule 15, "Intoxication on or off duty," in that, on 03 February 2002, at approximately 0251 hours, at [REDACTED] Officer TRACY, #14349, while off-duty, was intoxicated.
Allegation #5	SUSTAINED - Violation of Rule 6, "Disobedience of an order or directive, whether written or oral," in that, on 03 February 2002, at approximately 0251 hours, at [REDACTED] Officer TRACY, #14349, while off-duty, disobeyed General Order 92-3, Addendum 5B, Section IV, Part A, for possessing a handgun that is not registered with the City of Chicago.
Allegation #6	SUSTAINED - Violation of Rule 6, "Disobedience of an order or directive, whether written or oral," in that, on 03 February 2002, at approximately 0251 hours, at [REDACTED] Officer TRACY, #14349, while off-duty, failed to notify the desk sergeant at the 008 th District about his weapons discharge and follow-up with a written report.
Allegation #7	SUSTAINED - Violation of Rule 26, "Failure to provide the Department with a current address and telephone number," in that, as of 03 February 2002, Officer TRACY, #14349, failed to provide the Department with a current address and telephone number.

FINDINGS: (continued)

Accused	PPO KAREN MAGERS, EMPLOYEE # [REDACTED] UNIT 044
Allegation #1	UNFOUNDED
Allegation #2	NOT SUSTAINED
Allegation #3	UNFOUNDED

FINDINGS: (continued)

Accused	SERGEANT VIDAL VASQUEZ, STAR #2664, UNIT 008
Allegation #1	SUSTAINED - Violation of Rule 6, "Disobedience of an order or directive, whether written or oral, in that, on 03 February 2002, at approximately 0251 hours, at [REDACTED] Sergeant VASQUEZ #2664, while on-duty, disobeyed General Order 99-01, Section V, Para. D - 3, when he responded to the scene of shots fired by a Department member and failed to ensure that the 008 th District desk sergeant was notified.
Allegation #2	SUSTAINED - Violation of Rule 10, "Inattention to duty," in that, on 03 February 2002, at approximately 0251 hours, at [REDACTED] Sergeant VASQUEZ #2664, while on-duty, failed to ensure that the scene of the shots fired by the police was protected.
Allegation #3	SUSTAINED - Violation of Rule 6, "Disobedience of an order or directive, whether written or oral, in that, on 03 February 2002, at approximately 0251 hours, at [REDACTED] Sergeant VASQUEZ #2664, while on-duty, disobeyed General Order 99-01, Section V, Para. D-2 by failing to have a preliminary investigation conducted into the shots fired by a Department member.
Allegation #4	SUSTAINED - Violation of Rule 10, "Inattention to duty," in that, on 03 February 2002, at approximately 0251 hours, at [REDACTED] Sergeant VASQUEZ #2664, while on-duty, failed to ensure that PPO MAGERS submitted a written report about her knowledge of the shots fired.
Allegation #5	SUSTAINED - Violation of Rule 10, "Inattention to duty," in that, on 03 February 2002, at approximately 0251 hours, at [REDACTED] Sergeant VASQUEZ #2664, while on-duty, failed to submit a report summarizing the facts of the shots fired incident.
Allegation #6	SUSTAINED - Violation of Rule 6, "Disobedience of an order or directive, whether written or oral, in that, on 03 February 2002, at approximately 0251 hours, at [REDACTED] Sergeant VASQUEZ #2664, while on-duty, disobeyed General Order 93-3, Addendum 2B, Section II, Para. B2 and 3A, by failing to obtain a complaint register number and conduct a thorough preliminary investigation.

FINDINGS: (continued)

Accused **SERGEANT VIDAL VASQUEZ, STAR #2664, UNIT 008**

Allegation #7 **SUSTAINED** - Violation of Rule 10, "Inattention to duty," in that, on 03 February 2002, at approximately 0251 hours, at [REDACTED] Sergeant VASQUEZ #2664, while on-duty, failed to have a Breathalyzer administered to Officer TRACY.

Allegation #8 : **UNFOUNDED**

FINDINGS: (continued)

Accused **LIEUTENANT MICHAEL MCGIVNEY, STAR #342, UNIT 008**

- Allegation #1 **SUSTAINED** - Violation of Rule 10, "Inattention to duty," in that, on 03 February 2002, at approximately 0251 hours, at [REDACTED] Lieutenant MCGIVNEY #342, while on-duty, responded to the scene of shots fired by a Department member and failed to ensure that the proper notifications were made.
- Allegation #2 **SUSTAINED** - Violation of Rule 10, "Inattention to duty," in that, on 03 February 2002, at approximately 0251 hours, at [REDACTED] Lieutenant MCGIVNEY #342, while on-duty, failed to ensure that the scene of the shots fired by the police was protected.
- Allegation #3 **SUSTAINED** - Violation of Rule 10, "Inattention to duty," in that, on 03 February 2002, at approximately 0251 hours, at [REDACTED] Lieutenant MCGIVNEY #342, while on-duty, failed to conduct a preliminary investigation into the shots fired by a Department member.
- Allegation #4 **SUSTAINED** - Violation of Rule 6, "Disobedience of an order or directive, whether written or oral, in that, on 03 February 2002, at approximately 0251 hours, at [REDACTED] Lieutenant MCGIVNEY #342, while on-duty, disobeyed General Order 99-01, Section V, Para. E-2, when he failed to ensure that PPO MAGERS submitted a written report about her knowledge of the shots fired.
- Allegation #5 **SUSTAINED** - Violation of Rule 10, "Inattention to duty," in that, on 03 February 2002, at approximately 0251 hours, at [REDACTED] Lieutenant MCGIVNEY #342, while on-duty, failed to submit a report summarizing the facts of the shots fired incident.
- Allegation #6 **SUSTAINED** - Violation of Rule 6, "Disobedience of an order or directive, whether written or oral, in that, on 03 February 2002, at approximately 0251 hours, at [REDACTED] Lieutenant MCGIVNEY #342, while on-duty, disobeyed General Order 93-3, Addendum 2B, Section II, Para. B2 and 3A, by failing to obtain a complaint register number and conduct a thorough preliminary investigation. .

FINDINGS: (continued)

Accused: **LIEUTENANT MICHAEL MCGIVNEY, STAR #342, UNIT 008
(continued)**

Allegation #7 : **SUSTAINED** - Violation of Rule 10, "Inattention to duty," in that, on 03 February 2002, at approximately 0251 hours, at [REDACTED] Lieutenant MCGIVNEY #342, while on-duty, failed to have a Breathalyzer administered to Officer TRACY.

Allegation #8 : **UNFOUNDED**

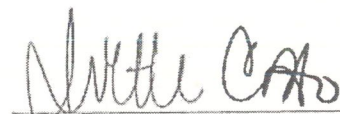
Office of Professional Standards
CR. 278101

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DATE ASSIGNED: 04 February 2002

DATE COMPLETED: 05 April 2002

ELAPSED TIME: 61 days



OPS Investigator Ivette Cotto #210

APPROVED:



OPS Supervisor Michael Duffy #105

SW

COMPLAINT AGAINST DEPARTMENT MEMBER
CHICAGO POLICE DEPARTMENT

INITIAL COMPLAINT CATEGORY **05C** CR. NO. **278101**

TO COMMANDING OFFICER - INVESTIGATING UNIT				UNIT		MANNER COMPLAINT RECEIVED ☐ BELL ☐ PAX ☐ LETTER ☐ IN PERSON			
RECEIVED FROM COMPLAINANT BY-NAME P. Tandyk,				RANK Sgt.	STAR/EMPL. NO. 1201	UNIT NO. 008	DAY OF WK. Sun	DATE 03 Feb 02	TIME 1435
REGISTERED WITH O.P.S. BY-NAME R. E. Funderek				RANK Inv.	STAR/EMPL. NO. 218	UNIT NO. 113	DAY OF WK. Same as above	DATE	TIME
ACCUSED	NAME	RANK	STAR NO.	UNIT NO.	SOCIAL SECURITY NO.		DUTY STATUS		
	1. Karen Magers doa 29 Oct 01	PPO	00	044	[REDACTED]		☐ ON ☐ OFF		
	2. Michael Tracy, J. doa 10 June 75	PO	14349	008	[REDACTED]		☐ ON ☐ OFF		
	3.						☐ ON ☐ OFF		
	4.						☐ ON ☐ OFF		
	5.						☐ ON ☐ OFF		
LOCATION OF INCIDENT [REDACTED]				DAY OF WK. Sun	DATE 03 Feb 02	TIME 0230	TOTAL ACCUSED	TOTAL COMPL.	TOTAL WIT.
COMPLAINANT	NAME ANONYMOUS CALLER				* ADDRESS (STREET, APT. NO., CITY, STATE) [REDACTED]				ZIP CODE
	HOME PHONE NO. CONTACT AT				TIME		PHONE NO.		
CHECK ONE		ADDITIONAL COMPLAINANT/VICTIM/WITNESS			* ADDRESS (STREET, APT. NO., CITY, STATE)			PHONE NO.	
C	V	W	NAME						

FOR ADDITIONAL ACCUSED, COMPLAINANTS (C), VICTIMS (V), WITNESSES (W), USE ANOTHER FORMSET.
* IF CPD MEMBER, LIST RANK, STAR/EMPLOYEE, SOCIAL SECURITY NOS. IN ADDRESS, PAX/BELL IN PHONE NO. BOX.

NARRATIVE OF ALLEGATIONS

The anonymous caller said he heard shots coming from [REDACTED] where Police Officer Michael J. Tracy and PPO Karen Magers both reside.

Officer Tracy was taken to the De-Tox Center at Rush Presb. Hospital. Sergeant Tandyk observed bullet holes inside and outside of the residence.

An Evidence Technician was dispatched to [REDACTED] to photograph bullet holes.

NO ARREST
NO INJURIES REPORTED

No weapons found on the scene and no domestic altercation per Sergeant Tandyk

[Signature]

INVESTIGATOR ASSIGNED		RANK	STAR/EMPL. NO.	UNIT NO.	SOCIAL SECURITY NO.	
1.	Cotto, Ivette	Inv	210	113	[REDACTED]	
2.						
DATE ASSIGNED - TIME		DAY OF WK.	DATE ASSIGNED - TIME		DAY OF WK.	
1.	4 Feb 02	MM	2.			
CPD-44.202 (Rev. 11/84)				ATTACHMENT 1		CR. NO.

008th District

03 Feb 02

TO: Dennis V. Rahl
Commander, 008th District

FROM: Sgt. Frances Tandyk #1201

SUBJECT: Initiation of CR# 278101

ACCUSED: Tracy, Michael J. Star # 14349, [REDACTED] M/2
Unit 008, D.O.A. 10 Jun 75, SS# [REDACTED]
Emp. # [REDACTED]
Home Address: [REDACTED]

Magers, Karen P.P.O. [REDACTED] 74, F/2, [REDACTED]
Unit 044, D.O.A. 29 Oct 01, SS# [REDACTED]
Home Address: [REDACTED]

COMPLAINANT: Sgt. Frances L. Tandyk #1201

ALLEGATION: Failure to Make Proper Notifications of a Weapon Discharge

DATE: 03 Feb 02

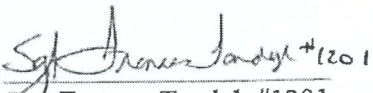
LOCATION: [REDACTED]

RELATED
REPORTS: HH-165372, CDTP Case Report

NOTIFICATION: Capt Czubak #49
OPS Funderak #218

HISTORY: R/Sgt was informed by Capt. Czubak #49 that OPS had called and related that they had received a call from a neighbor that shots had been fired in the residence at [REDACTED] the night of 03 Feb 02. OPS wanted Police to go to the address and check the well being of the occupants, both employees of the Chicago Police Dept. R/Sgt was instructed to relocate to [REDACTED] and check on the occupants. R/Sgt relocated to address and met with PPO Magers who allowed R/Sgt inside residence and informed R/Sgt that her live-in boyfriend PO Tracy had gone to Rush Hospital for

detox treatment PPO Magers related that she was fine, not injured and related to R/Sgt that she had arrived home early in the morning of 03 Feb 02, after being called repeatedly by P.O Tracy on her cellular phone, he was depressed and talking suicidal. Magers upon coming home saw P.O. Tracy talking on the phone, at the kitchen table with a bottle of V.O. alcohol on table, along with his weapon and its clip on table. She took the weapon, secured it and soon police arrived on scene and P.O. Tracy left for Rush Hospital. R/Sgt while talking with PPO Magers observed bullet holes in mirrored door in adjacent room, PPO Magers related that the bullet holes were not present prior to leaving her residence on 02 Feb 02. R/Sgt spoke with Capt. Czubak #49 who further instructed R/Sgt to relocate to 008 for CR Initiation. Crime lab and detectives requested. ADS Kajari and Capt Czubak relocated to scene. P.O. Tracy's weapons were located and inventoried.


Sgt. Frances Tandyk #1201

APPROVED:

Office of Professional Standards
CR#278101

04 February 2002

To: Chief Administrator - Office of Professional Standards

From: Inv. R. E. Fundarek, Badge #218

Subject: CR#278101 - Anonymous Caller

On 03 February 2002 at approximately 1140 hours, the R.I. received a telephone call from a male who refused to identify himself. The caller said he heard shots coming from the house at [REDACTED] and knows for a fact that a female probationary officer by the name of Karen Magers lives at that address. The caller also said that Officer Magers lives with a Chicago Police Officer by the name of Michael J. Tracy. He said they both live together at 5858 South Rutherford. The R.I. asked the caller how close he was to the residence when he heard the shot. He said "very close". The R.I. asked the caller if he could be more specific. He said "no". The R.I. asked if he knew who did the shooting. He said he did not know that, but that the couple were in the house when the shots were fired at approximately 0230 hours, Sunday morning, 03 February 02.. The caller also said that three (3) squad cars responded and that one of the cars took Officer Magers to the Rush Presb. Hospital and that he was admitted into de-tox. The R.I. asked the caller how he knew all this. He said this was what he had heard from other neighbors. He refused to give any of the neighbor's names that he spoke with. The R.I. asked the caller if he was positive that what he heard were gun shots. He said "definitely."

The R.I. asked the caller if on the date and time in question, he observed either officer with a gun. He said "no". The R.I. asked the caller how he happen to know the two officers by name. He said they live in the neighborhood and most of the neighbors know them by name. The R.I. asked if any of the squad cars took the female officer away. He said "no".

The R.I. asked the caller if he were aware of Officer Tracy had a drinking problem. He said he really didn't know. The R.I. asked if he knew if anyone had been shot in the house. He said he didn't think so.


Inv. R.E. Fundarek, Badge #218

Approved: _____

C. R. 278101
ATTACHMENT # 3

008th District

03 Feb 2002

To: Superintendent of Police
Attn: Office of Professional Standards

From: Captain Michael P. Czubak
Watch Commander, 2nd Watch

Subject: Complaint Register Number-278010

Reference: Shots Fired By Police

Attachments: General Offense Case Report HH-165372
C.R. Initiation Report
Crime Scene Processing Report
Inventory Numbers-2657408/2657409/2657410

Accused: P.O. Michael Tracy #14349
Assigned to 008th District-3rd Watch
Currently on Medical
Date of Appointment: 10 Jun 75
Date of Birth: [REDACTED] 48
Employee Number - [REDACTED]
Social Security Number- [REDACTED]

278101

Date & Time of
Occurrence: 02/03Feb02 Between 2030 Hrs.-0245 Hrs.

Location of Incident: [REDACTED]

Victim: P.P.O. Karen Magers
Assigned to Training Division
Employee Number [REDACTED]
Date of Appointment: 29 Oct 01
Date of Birth: [REDACTED] 74
Address [REDACTED]
Telephone Number [REDACTED]

Unit Assigned: P.O. Daniel Erchul #15285 Assigned to Beat 846

Supervisor Assigned: Sgt. Frances Tandyk #1201 Assigned to Beat 850
Sgt. Christine Pickering #2495 Assigned to Beat 820/3rd Watch

C. B. 278101
ATTACHMENT 4

008th District

03 Feb 2002

Page #2

Subject: **Shots Fired by Police**

Personnel on
Scene:

Capt. Michael P. Czubak #49
ADS K. Kajari
008th District Commander Dennis Rayl
P. Larcher #21165 Crime Lab Beat 9603
D. Grzowski #11594 Crime Lab Beat 9603
Detective Janet Scanlon #20922 Beat 5116
Detective John Foster #20288

Notifications:

OPS Supervisor Peterson
OPS Inv. Fundarek
ADS K. Kajari On Scene & In 008th District
Chief John Richardson
008th District Commander Dennis Rayl on scene & in 008.
Crime Lab Via ADS Kajari
1st Deputy Thomas notified by ADS Kajari
Deputy Chief Wayne Milla

Weapons Recovered:

Smith & Wesson Model #MD3913
9 MM Semi-Automatic Pistol 3.5 Inches
Serial Number- TEH5635
Registration Number-0589874
FOID #3622820
Registered to Accused

Colt Model #King Cobra
357 Revolver 4 Inches
Serial Number-KV6309
Registration Number-0589876
FOID #3622820
Registered to Accused

Innerarms Model #PPKS
380 Semi-Automatic Pistol 3 Inches
Serial Number-038648
Registration Number-0582039
FOID #3622820
Registered to Accused

Subject: Shots Fired By Police**Recovered Cartridges
by Beat 9603:**

4-380 Cartridge Casing from Garage Bag
1 Fired Bullet from inside Garage in Power Painter Box
1 Fired Bullet from inside garbage can in alley commingled with
broken glass

Canvass Conducted By: Beat 5116 Det. Scanlon & Foster

Area Canvassed:

5856 S. Rutherford-No answer

[REDACTED] M/W/69 Heard/ Saw nothing
[REDACTED] Heard nothing

5855 S. Oak Park- No answer

[REDACTED] F/W/48 Heard nothing

Investigation:

On today's date the undersigned received a call from OPS Supervisor Peterson relating that they received a call from a neighbor of P.O. Michael Tracy assigned to the 008th district and P.P.O. Karen Magers relating that numerous shots had been fired in the early morning hours at [REDACTED] the home address of both Police Officers.

After being informed of this the undersigned sent Bt. 850, Sgt. Francis Tandyk #1201 to [REDACTED] to check the well being of the officers. Once there Bt. 850 located P.P.O. Magers who allowed Sgt. Tandyk entry to her residence and informed her that P.O. Tracy had gone to Rush Hospital for detox treatment. She related that she left the house early that day and that P.O. Tracy called her numerous times on her cell phone, related that he was depressed and talking about suicide. She related that she arrived home around 0245hrs to find P.O. Tracy sitting at the kitchen table, talking to someone on the phone. On the table was his semi-automatic pistol with the clip out and he was drinking a large glass of alcohol. She immediately secured the weapon, and when she inquired who he was talking to, he replied the police, she grabbed the phone and told the person on the other end to get the police here quick. Approximately 5 minutes later the police arrived and removed him from the house and they left for Rush Hospital. While at the residence Sgt. Tandyk observed bullet holes in a mirrored door in an adjacent room and that P.P.O. Magers informed her that they weren't there prior to her leaving. After appraising the undersigned of this, Sgt. Tandyk was instructed to obtain the above mentioned complaint register number.

Upon being informed of the above mentioned facts, the undersigned informed ADS Kajari, who was present in the 008th district on an unrelated incident. The

Three of P.O. Tracy's weapons were recovered from Mr. James Walsh, who is the Operations Director of Ranger Security, which is owned by the accused.. All three weapons checked clear and registered to P.O. Tracy. Gun Registration check revealed that P.O. Tracy has a total of six weapons registered, the whereabouts of the additional weapons is unknown at this time. The weapons were inventoried in the 008th district and hand carried to the crime lab at Homan Square, by Bt. 820 Sgt. Christine Pickering.

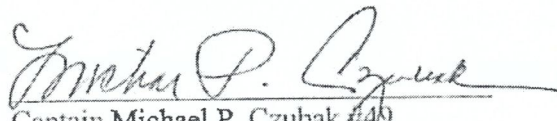
008th District

02 Feb 2002

Page #5

Subject: Shots Fired By Police

The undersigned inquired at Patient's Inquiry section of Rush St. Luke's hospital and was informed that Michael Tracy was admitted and in Room 1314. No further information on the condition of P.O. Tracy is available at this time.


Captain Michael P. Czubak #149
Watch Commander, 2nd Watch

O.P.S.

BUREAU OF OPERATIONAL SERVICES

03 February 2002

TO: John R. Thomas
First Deputy Superintendent
Bureau of Operational Services

FROM: Kathryn Kajari
Assistant Deputy Superintendent
Bureau of Operational Services

SUBJECT: Shots Fired By The Police (No Hits)

REFERENCES: RD#HH-165372 (Criminal Damage to Property)
CR#278101 & CR#278105

DATE AND TIME: 02-03 February 2002, between 2000-0245 hours.

LOCATION: [REDACTED]

DISTRICT OF OCCURRENCE: 008

OFFICER INVOLVED: P.O. Michael TRACY #14349
DOA: 10 JUN 75 DOB: [REDACTED] 48
EMP: [REDACTED] SSN: [REDACTED]
UOA: 008-(On the Medical)
STATUS: Off Duty
Admitted himself to Rush-Presbyterian-St. Lukes Hospital

OFFICER'S WEAPONS: (#1) Model: PPKS Make: INR
SER#038648 CAL. 380 BBL: 3.0 Inches
CITY#0582039 FOID#3622820
AMMUNITION: None
Registered and Cleared Per Gun Desk: VIA Computer
Inventory #2657408
UNK Expended Rounds

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ATTACHMENT # 5

(#2) Model: King Cobra Make: CL
SER#KV6309 CAL. 357 BBL: 4.0 Inches
CITY#0589876 FOID#3622820
AMMUNITION: None
Registered and Cleared Per Gun Desk: VIA Computer
Inventory#2657409
UNK Expended Rounds

(#3) Model: MD3913 Make: S & W
SER#TEH5635 CAL. 9 BBL: 3.5 Inches
CITY#0589874
AMMUNITION: None
Registered and Cleared Per Gun Desk: VIA Computer
Inventory#2657410
UNK Expended Rounds

SUPERVISORS: Commander Dennis Rayl BT. 800
 Captain M. Czubak #49 BT. 899-(2nd Watch)
 Captain R. Evans #70 BT. 899-(3rd Watch)
 Sergeant F. Tandyk #1201 BT. 850-(2nd Watch)
 Sergeant C. Pickering #2495 BT. 820-(3rd Watch)

NOTIFICATIONS: P.O. Caldwell Operations Command

INVESTIGATORS: PRELIMINARY
 P.O. D. Erchul #15285 BT. 846-(3rd Watch)

AREA 1 DETECTIVE DET. Scanlon #20922 BT. 5116
DIVISION: DET. Foster #20288 BT. 5116

FORENSIC SERVICES: F.I. Larcher #21165 BT. 9603
 F.I. Grzemski #11594 BT. 9603

O.P.S. INV. Fundarek

NARRATIVE: On 03 February 2002 at approximately 1200 hours, the undersigned became aware of an incident involving Shots Fired by a Police Officer/No Hits in the 8th District. The undersigned interviewed the above named personnel and learned the following information.

C. R. 278101
ATTACHMENT 5

Capt. Czubak was contacted by the Office of Professional Standards that an anonymous telephone caller stated there had been "multiple shots fired" at the home of two police officers, [REDACTED], sometime overnight. The Captain checked the ICAM and learned there were no calls for service at that location. Further, he checked the OEC Event History Records and learned that at 0246 hours, Beat 810 went out of service at 5858 S. Rutherford, assisted by Beats 811 and 890.

Capt. Czubak sent a sergeant to that address to ascertain the well-being of the officers and to conduct an investigation. PPO Karen Magers was at home and gave the sergeant the following information:

Police Officer Michael Tracy, who is currently on the Medical, also resides at that address. The two officers are currently in the process of ending their relationship, though they still share the same house. Officer Magers, in an interview with the undersigned, related that Tracy has been depressed lately and has increased his drinking. On 02 February 2002, at 2000 hours, she left the house to study with police academy friends. At 0245 hours she returned home to find Tracy sitting at the kitchen table with a handgun, clip removed, talking on the telephone. A short time later, police officers from the 8th District arrived at the home. Tracy was taken by them to Rush-Pres-St. Luke's Hospital Detox Center. Magers reported to the undersigned that the 8th District officers walked through the house and observed bullet holes in doors, cabinets and through the rear sliding glass door. The officers left the house.

Capt. Czubak obtained Complaint Register #278101 for failure to make proper notification after a weapons discharge. The undersigned made notifications, summoned Area One Detectives, Crime Laboratory Investigators, and supervisors to the house. Crime Lab personnel recovered four cartridge cases and one bullet from within the house and one bullet from the rear garage (it was determined that the slug traveled through the glass sliding door, through the swimming pool wall, skipped on the surface ice, through the garage wall and came to rest in a box containing a paint sprayer).

Detectives conducted a canvass of the surrounding homes: 5856 and 5852 S. Rutherford, 5851, 5855 and 5859 S. Oak Park. All residents contacted related that they heard no noise during the time in question.

C. R. 278101
ATTACHMENT 5

PPO Magers gave Tracy's weapon, plus two additional handguns kept in the house, to the manager of his security company, Jim Walsh, who placed them in the company safe. The three handguns were later retrieved by Sgt. Tandyk and inventoried in the 8th District.

A second Complaint Register #278105 was obtained by Capt. R. Evans, 3rd Watch, against 1st Watch personnel for failure to conduct a proper investigation.

Kathryn Kajari
Kathryn Kajari
Assistant Deputy Superintendent
Bureau of Operational Services

008th District

03 February 2002

To: Dennis V. Rayl
Commander
008th District

From: Captain Robert Evans, Star 70
3rd Watch Commander
008th District

Subject: Initiation of CR # 278105

Accused: Lieutenant Michael R. Mc Givney, Star 342
Employee # [REDACTED] SSN [REDACTED], Date of Appointment 22 Oct 73,
Assigned to the 008th District, On-duty working Beat 890 1st Watch

Allegation: Failure to Conduct a Proper Investigation

Date, Time, & Location: 03 Feb 02, 0251 hours at [REDACTED]

Reference: RD # HH-165372
CR # 278101

After conferring with 008th District Commander, Dennis V. Rayl, the undersigned obtained the subject CR # against 008th District Lieutenant Michael Mc Givney for failure to conduct a proper investigation. On 03 Feb 02 at approximately 0251 hours Lieutenant Mc Givney and other members of this command responded to [REDACTED] This is the residence of off-duty 008th District P.O. Michael Tracy # 14349 and PPO Karen Magers, (Star not yet issued) Employee # [REDACTED]. Lieutenant McGivney responded to this location regarding the possible suicidal tendencies of Officer Tracy. Officer Tracy was subsequently admitted to Rush-Presbyterian St. Lukes Hospital.

A neighbor of Officer Tracy telephoned the Office of Professional Standards stating that sometime today, 03 Feb 02, in the early morning hours shots were fired in Officer Tracy's residence. Members of this command subsequently responded to the location to check the well being and they observed physical evidence that a weapon had been discharged at this location. This incident is recorded under RD # HH-165372 and will be investigated under C R# 278101. It should be noted that ADS Kathy Kajari of Operations Command responded to the 008th District along with 008th District Commander Dennis Rayl regarding these incidents. Attached to this report is a copy of the Event History Table for this incident.


Captain Robert Evans
008th District

Attachment

C. E. 278101
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Feb 3 11:50 2002

Page 1

EVENT HISTORY TABLE

EVENT HISTORY RECORDS

Event #: 0203401873
Time: 03-Feb-02/02:46:56
Response Level: 1
Src: R
Info:
Phone:

Priority: 3B
Type: DIST
Loc: XXXXXXXXXX
Caller:

EVENT SUMMARY

Status	Status Date	By	At
DSP	03-Feb-02/02:46:56	D552536	PD15
ONS	03-Feb-02/02:46:56	D552536	PD15
DSP	03-Feb-02/02:47:00	D552536	PD15
CLS	03-Feb-02/08:09:00	D551151	PD16

EVENT CHRONOLOGY

Date/Time	Segment Name	Workstation	Description
03-Feb-02/02:46:56	OUTSER	PD15	Type: DIST
03-Feb-02/02:46:56	DOS	PD15	810
03-Feb-02/02:47:00	ASST	PD15	811
03-Feb-02/02:51:50	ASST	PD15	890
03-Feb-02/02:52:16	AUTPRE	PD16	890

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ATTACHMENT# 7

03-Feb-02/02:52:16	ASST	PD16	890
03-Feb-02/03:28:07	AUTPRE	PD15	811
03-Feb-02/03:43:24	CLEAR	PD16	810
03-Feb-02/06:58:33	SCHOFF	MDTP2547	
Unit #890 scheduled for Logoff			
03-Feb-02/08:09:00	CLEAR	PD16	
890 Papercar changed from to 890 D/19P			
03-Feb-02/08:09:00	CLOSE	PD16	D/19P

UNIT SUMMARY

Unit	Date/Time	Status
810	03-Feb-02/02:46:56	DIS
810	03-Feb-02/02:46:56	ONS
810	03-Feb-02/03:43:24	AV
811	03-Feb-02/02:47:00	DIS
811	03-Feb-02/03:28:07	AV
890	03-Feb-02/02:51:50	DIS
890	03-Feb-02/02:52:16	AV
890	03-Feb-02/02:52:16	DIS
890	03-Feb-02/08:09:00	AV

C. R. 278101
ATTACHMENT 7

OFFICE OF PROFESSIONAL STANDARDS

03 Feb 02
CR#278105

TO: Chief Administrator
Office of Professional Standards

FROM: Inv. James Lukas #231

SUBJECT: Issuance of a separate CR number

Capt. R. Evans, #70, of the 008th District, telephoned O.P.S. on 03 Feb 02 to open a CR number against Lt. M. McGivney, #342, regarding an incident at [REDACTED] which was already the subject of CR#278101. When the R/I asked Capt. Evans whether the complaint against Lt. McGivney should be referenced within the already-existing CR#278101, he related that Chief of Patrol John Richardson requested a separate CR number. That number was issued (#278105).


Inv. James Lukas #231

Approved:


Supervisor, O.P.S. #109

C. R. 278101
ATTACHMENT 8

Numerous calls from Mike Tracy M/2/53, a Chicago Police Officer, Between The Hours of 0100 to 0200 Hrs. Victim a Tracy Share Same Residence. In Residence, (1 in Kitchen Cabinet, 1 Kitchen Wall, Tracy told victim He was Depressed and wanted to Kill Himself - Tracy was crying on Phone. When victim Returned Home, she seen Tracy in Kitchen talking on Phone, with His Pistol on table. Tracy was talking to 68 District Desk. Victim Recovered weapon from table and Took The Phone Desk related to victim. Just Tracy was sweet and That They were sending help. A Short Time later Officer

Arrived And Tracy went voluntarily to Rush Hospital. Numerous Bullet Hole Discovers 2 Bedroom Door, 3 in Mirror in Bedroom, 1 Pool and Garage Believed to Be from Inside House. On Scene - A-1 Det. Scanlon #20922. Commander Rahl, District. App. 62034 #49, Sgt 820 Pickering, A.D.S. Kajari, Office 166 #9603. 101817 5

☐ 1 CONTACT ☐ 2 REVISOR ☐ 3 REVISOR		☐ 1 FIELD ☐ 2 ADMIN. ☐ 3 SUMMARY		☐ 1 UNFOUNDED ☐ 2 UNFOUNDED ☐ 3 UNFOUNDED		☐ 1 OFFICER ASSIGNED ☐ 2 OFFICER ASSIGNED ☐ 3 OFFICER ASSIGNED		☐ 1 SUPERVISOR ☐ 2 SUPERVISOR ☐ 3 SUPERVISOR		☐ 1 SUPERVISOR ☐ 2 SUPERVISOR ☐ 3 SUPERVISOR		☐ 1 SUPERVISOR ☐ 2 SUPERVISOR ☐ 3 SUPERVISOR		☐ 1 SUPERVISOR ☐ 2 SUPERVISOR ☐ 3 SUPERVISOR	
☐ 1 CORRECT ☐ 2 CORRECT ☐ 3 CORRECT		☐ 1 CORRECT ☐ 2 CORRECT ☐ 3 CORRECT		☐ 1 CORRECT ☐ 2 CORRECT ☐ 3 CORRECT		☐ 1 CORRECT ☐ 2 CORRECT ☐ 3 CORRECT		☐ 1 CORRECT ☐ 2 CORRECT ☐ 3 CORRECT		☐ 1 CORRECT ☐ 2 CORRECT ☐ 3 CORRECT		☐ 1 CORRECT ☐ 2 CORRECT ☐ 3 CORRECT		☐ 1 CORRECT ☐ 2 CORRECT ☐ 3 CORRECT	

PREPARED BY - SIGNATURE

DATE

APPROVED BY - SIGNATURE

DATE

008th District

4 February 02

To: Superintendent of Police
Attn: Office of Professional Standards

From: Captain Michael P. Czubak #49
Watch Commander, 2nd Watch

Subject: ²⁷⁸¹⁰¹
Complaint Register Number 278010

Reference: Shots fired by Police

Attachments: Supplementary Reports to RD#HH165372
Inventory Numbers-2657416,17,18,19,20

Accused: P.O. Michael Tracy #14349
008th District

Additional Allegation: Failure to Register a Duty related weapon

Supervisor Assigned: Commander Dennis Rayl
Captain Michael P. Czubak #49
Sergeant Francis Tandyk #1201

Notifications: OPS Supervisor Peterson #108

This is a Supplemental Report to Complaint Register Number 278010 which was obtained by the undersigned on 3 February 02. On today's date at 1200hrs the undersigned along with Commander Rayl cut the lock off of locker #299 assigned to P.O. Michael Tracy, in an effort to secure any weapons registered to him. Upon opening his locker, the undersigned observed a stainless steel holstered weapon hanging from a gun belt in the locker. The weapon was is a Smith & Wesson 357 cal. revolver 4 inch barrel with Serial #BSR8933, Model 66 unloaded and inventoried under 2657418. Also recovered from the locker was \$140.00 which was inventoried under 2657416. The lock which was cut off was inventoried under 2657417 and a new lock was attached to secure the locker.

The undersigned checked the weapon with Gun Registration and the check revealed the weapon was clear and not registered, per Sergeant Stanek. The undersigned notified OPS Supervisor Peterson and informed her of the additional allegation.

C. R. 278101
ATTACHMENT # 10

008th District

04 Feb 2002

Page #2

Subject: C.R. #278010

It should also be noted that on this date two other weapons belonging to the accused were surrendered to Beat 850 Sergeant Francis Tandyk, by Mr. James Walsh the Operations Director of Ranger Security, which is owned by the accused. The following weapons were recovered: One(1) Colt Revolver .357 cal. 4 inch barrel, Model Trooper Mk3, blue steel, serial #J10586, registered to the accused and inventoried under 2657419. One(1) Smith and Wesson 38 cal revolver, 2inch barrel Serial #Cen 1095, Model MD 640, stainless steel which registers to the accused and was inventoried under 2657419. The weapons were surrendered at 6947 W. Archer, the security business office of the accused.


Captain Michael P. Czubak #49
Watch Commander, 2nd Watch

CRIMINAL DAMAGE TO PROP 1310		ADDRESS OF CRIMINAL DAMAGE TO PROP 1310		3. BEAT OF RECORD 812	
VICTIM/SUBJECT'S NAME AS SHOWN ON LAST PREVIOUS REPORT KAREN MAGERS		CORRECT YES ☐ NO ☐		6. FIRE RELATED YES ☐ NO ☐	
VICTIM/SUBJECT'S ADDRESS		TYPE OF LOCATION OR PREMISE WHERE INCIDENT/OFFENSE OCCURRED RESIDENCE		7. BEAT ASSIGNED 802	
1. MONEY \$ 140		2. JEWELRY T \$ R		3. FURS T \$ R	
4. HOUSEHOLD GOODS T \$ R		5. CONSUM. GOODS T \$ R		6. FIREARMS T \$ R	
7. CLOTHING T \$ R		8. OFFICE EQUIPMENT T \$ R		9. TV, RADIO, STEREO T \$ R	
10. NARC. DANGEROUS DRUGS T \$ R		11. OTHER T \$ R		12. ENDONE T \$ R	
11. OFFENDER'S NAME (OR DESCRIBE CLOTHING, ETC.)		12. HOME ADDRESS		13. SEX-RACE-AGE CODE	
14. C.B. NO.		I.R. NO. Y.D. NO. OR J.O.A. NO.		OFFENDER REL. CODE	
15. OFF. 1 USED ☐ STOLEN ☐		16. OFF. 2 USED ☐ STOLEN ☐		17. STATE LICENSE NO.	
18. OFF. 3 USED ☐ STOLEN ☐		19. OFF. 4 USED ☐ STOLEN ☐		20. OFF. 5 USED ☐ STOLEN ☐	

60. NARRATIVE

REPORTING CAPTAIN ACCOMPANIED CMDR. DENNIS RAYL TO P.O. MICHAEL TRACY'S LOCKER IN THE BASEMENT OF 008TH DIST. THE LOCK WAS CUT OFF HIS LOCKER # 299. INSIDE PROPERTY WAS RECOVERED AND INVENTORIED. THE FOLLOWING PROPERTY WAS INVENTORIED UNDER # 2657417 - (1) MASTER COMBINATION LOCK - UNDER # 2657416 - (1) BUNDLE U.S. (\$ 140⁰⁰) UNDER # 2657418 - (1) S&W 357 REVOLVER MOD # 66 .SER # BSR8933 (CHECKED CLEAR, NOT REGISTERED PER SGT STANEK - GUN REGISTRATION) (1) BOX OF AMMO (6) LIVE ROUNDS 38 + P BULLETS.

THE UNDERSIGNED PREPARED A SUPPLEMENTAL TO-FROM IN REFERENCE TO C.R. # 278010 DETAILING ABOVE FINDINGS.

90. EXTRA COPIES REQUIRED (NO. & RECIPIENT)		91. DATE THIS REPORT SUBMITTED - DAY MONTH YEAR 4 FEB 02		92. SUPERVISOR APPROVING (PRINT NAME) STAR NO. CAPT. ROBERT EVANS 70	
93. REPORTING OFFICER (PRINT NAME) STAR NO. CAPT. MICHAEL TRACY 70		94. REPORTING OFFICER (PRINT NAME) STAR NO. MICHAEL TRACY 70		95. DATE APPROVED (DAY-MO.-YR.) TIME 4 FEB 02 1500	

C. R. 278101

ATTACHMENT # 11

2657416

LIST OTHER INVENTORIES RELATED TO THIS RECOVERY

UNIT

INVENTORY NO. 2657416

DATE RECOVERED 4 Feb 02

CROSS REFERENCE AD NO

□ NONE

DESCRIPTION OF PROPERTY

U.S.C. ONLY

LINE NO	QUANTITY	DESCRIPTION OF PROPERTY	U.S.C. ONLY
1	1	Bubble of U.S.C.	\$ 140.00
2			
3			
4			
5			
6			
7			

EVIDENCE & RECOVERED PROPERTY SECTION USE ONLY

TOTAL CASH U.S.C. \$ 140.00

COURT DATE
COURT BRANCH
COURT CALL

CHECK ALL BOXES APPLICABLE
☒ U.S. CURRENCY TO BE DEPOSITED
☐ U.S. CURRENCY TO BE HELD IN ORIGINAL FORM - DO NOT DEPOSIT (MUST SUBMIT TO FROM)

CPD CONTINGENCY FUND MONEY

GAMBLING RAID SEIZURE

MEDICAL EXAMINER'S PROPERTY

☐ MISDEMEANOR
☐ STATE CHARGES
☐ FEUDON

☐ JUVENILE
☐ HOMICIDE
☐ ARSON
☐ NARCOTICS & RELATED

☐ DECEASED
☐ ARRESTED

BEAT OF RECOVERY 800

OWNER'S NAME
ADDRESS
CITY
STATE
ZIP

AT

TELEPHONE NO

☒ HOLD FOR INVESTIGATION
☐ PROPERTY OWNER NOTIFIED ON DAY MONTH YEAR
☐ TO BE DEPOSITED BY CUSTODIAN (NOT TO BE RETURNED)
☐ TO BE PICKED UP BY CUSTODIAN (NOT TO BE RETURNED)

☐ CRIME LABORATORY
☐ MEDICAL EXAMINER
☐ AUTO POUND NO.

☐ POLICE MAIL
☐ RECOVERING UNIT PERSONNEL
☐ EVIDENCE LAB TECHNICIAN

☐ APPROVING DESK SERGEANT
☐ SIGNATURE
☐ DATE

☐ APPROVING DESK SERGEANT
☐ SIGNATURE
☐ DATE

DIRECTIONS

SEIZURE WITHOUT SEARCH WARRANT

COMPLETE FIRST STATEMENT ON REVERSE SIDE OF THIS COPY

ATTACH THIS COPY TO COURT (PINK) COPY OF ARREST REPORT.

GIVE COPY NO. 4 TO ARRESTEE. IF NOT ACCEPTED, ATTACH TO THIS COPY

SEIZURE WITH SEARCH WARRANT

COMPLETE SECOND STATEMENT ON REVERSE SIDE OF THIS COPY

ATTACH THIS COPY TO SEARCH WARRANT

ATTACH COPY NO. 4 TO THIS COPY

ATTACH THIS COPY TO COURT PAPERS

278101

ATTACHMENT # 12

2657417

LIST OTHER INVENTORY NOT RELATED TO THIS RECOVERY

UNIT

INVENTORY NO.

2657417

DATE
RECOVERED
FEB 02

CROSS REFERENCE

RD NO

NONE

LINE NO

DESCRIPTION OF PROPERTY

U.S.C. ONLY

1	1	MASTER COMBINATION LOCK	5
2		# 901195	6
3			
4			
5			
6			
7			

EVIDENCE & RECOVERED PROPERTY SECTION USE ONLY

TOTAL CASH U.S.C.

DIRECTIONS

SEIZURE WITHOUT SEARCH WARRANT

COMPLETE FIRST STATEMENT ON REVERSE SIDE OF THIS COPY

ATTACH THIS COPY TO COURT (PINK) COPY OF ARREST REPORT

GIVE COPY NO. 4 TO ARRESTEE IF NOT ACCEPTED, ATTACH TO THIS COPY

SEIZURE WITH SEARCH WARRANT

COMPLETE SECOND STATEMENT ON REVERSE SIDE OF THIS COPY

ATTACH THIS COPY TO SEARCH WARRANT

ATTACH COPY NO. 4 TO THIS COPY

COURT DATE
COURT BRANCH
COURT CALL

CHECK ALL BOXES APPLICABLE
☐ U.S. CURRENCY TO BE HELD IN ORIGINAL FORM - DO NOT DEPOSIT (MUST SUBMIT TO FBI)

☐ C.P.D. CONTINGENCY FUND MONEY

☐ GAMBLING RAID SEIZURE

☐ MEDICAL EXAMINER'S PROPERTY

☐ MISDEMEANOR - STATE CHARGES

☐ JUVENILE

☐ HOMICIDE

☐ ARSON

☐ NARCOTICS & RELATED

COVERED/SEIZED FROM - NAME
DECEASED ☐ ARRESTED

OWNER'S NAME

ADDRESS

TELEPHONE NO.

OWNER BY NAME
CHECK IF CPD

ADDRESS

TELEPHONE NO.

☒ HOLD FOR INVESTIGATION

INVESTIGATING OFFICER'S NAME

UNIT

STAR NO.

☐ PROPERTY OWNER NOTIFIED

DAY MONTH YEAR

HOW NOTIFIED
☐ IN PERSON
☐ PHONE
☐ MAIL

SIGNATURE

UNIT

☐ TO BE DISPOSED OF BY CUSTODIAN (NOT TO BE RETURNED)

2ND OFFICER'S NAME

STAR NO.

TOTAL DESTINATION OF PROPERTY
☐ CRIME LABORATORY
☐ MEDICAL EXAMINER
☐ AUTO POUND NO.

SIGNATURE

UNIT

☒ POLICE MAIL
☐ E & RPS PICKUP
☐ RECOVERING UNIT PERSONNEL
☐ EVIDENCE LAB TECHNICIAN

APPROVING DESK SERGEANT

DATE

TIME

2657418

INVENTORY NO. 2657418

DATE DAY MONTH YEAR
REC'D FEB 08

LIST OTHER INVENTORY NO. RELATED TO THIS RECOVERY
CROSS REFERENCE RD NO. NONE

2657418/417 HH-165372

QUANTITY DESCRIPTION OF PROPERTY U.S.C. ONLY

1	1	SAID 357041 Removable 4" BAR	\$ 1
2	1	See # BSR8933 Model 66	
3	1	Page # 12 # 278101	
4	1	Box 3810 Ammo	
5	6	38.41 S&W Bullets	
6	1	4" BAR ID NOT IDENTIFIED	
7		Clear At R&R Police Station	

EVIDENCE & RECOVERED PROPERTY SECTION USE ONLY

TOTAL CASH U.S.C. \$

COURT DATE
COURT BRANCH
COURT CALL

HECK ALL BOXES APPLICABLE
☐ U.S. CURRENCY TO BE HELD IN ORIGINAL FORM
☐ U.S. CURRENCY TO BE DEPOSITED
☐ MISDEMEANOR
☐ FELONY
☐ STATE CHARGES
☐ JUVENILE
☐ HOMICIDE
☐ ARSON
☐ MANSLAUGHTER
☐ MEDICAL EXAMINER'S PROPERTY
☐ NARCOTICS & RELATED

COVERED/SEIZED FROM - NAME
DECEASED
ARRESTED
AT 6300 ST
BEAT OF RECOVERY 293

OWNER'S NAME
ADDRESS
CITY
STATE
ZIP
TELEPHONE NO.

JUNIOR NAME
ADDRESS
CITY
STATE
ZIP
TELEPHONE NO.

HOLD FOR INVESTIGATION
AND/OR EVIDENCE
INVESTIGATING OFFICER
SIGNATURE
DATE
STAR NO.

PROPERTY OWNER NOTIFIED ON DAY MONTH YEAR
TO PICK UP PROPERTY WITHIN 30 DAYS
OR PROPERTY WILL BE DISPOSED OF
THIS APPLIES IF PROPERTY IS NOT EVIDENCE, NOT RETURNABLE AND ON OWNER'S UNKNOWN
SIGNATURE
DATE
STAR NO.

TITLE DESTINATION OF PROPERTY
MEDICAL EXAMINER
CRIME LABORATORY
AUTO POUND NO.
POLICE MAIL
RECOVERING UNIT PERSONNEL
EVID/LAB TECHNICIAN
APPROVING DESK SERGEANT
STAR NO.
DATE
TIME

ATTACH THIS COPY TO COURT PAPERS

DIRECTIONS

SEIZURE WITHOUT SEARCH WARRANT

COMPLETE FIRST STATEMENT ON REVERSE SIDE OF THIS COPY

ATTACH THIS COPY TO COURT (PINK) COPY OF ARREST REPORT

GIVE COPY NO. 4 TO ARRESTEE. IF NOT ACCEPTED, ATTACH TO THIS COPY

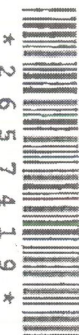
SEIZURE WITH SEARCH WARRANT

COMPLETE SECOND STATEMENT ON REVERSE SIDE OF THIS COPY

ATTACH THIS COPY TO SEARCH WARRANT

ATTACH COPY NO. 4 TO THIS COPY

DATE
RECOVERED
4 Feb 02



CROSS REFERENCE
RD NO
HH 105372

DESCRIPTION OF PROPERTY

QTY NO

U.S.C. ONLY

1	1	S&W 38 cal Revolver, 2 in Bar Serial # 278101	5 N	V
2		Model # MD 410, stainless steel		
3		Ref # CC # 278101		
4				
5		P/O Weapon - Do Not Deface		
6		Weapon clear - registered		
7				

EVIDENCE & RECOVERED PROPERTY SECTION USE ONLY

TOTAL CASH U.S.C.
\$ N V

COURT PETE
COURT BRANCH N-
COURT CALL A

CHECK ALL BOXES APPLICABLE
☐ U.S. CURRENCY
TO BE DEPOSITED

☐ U.S. CURRENCY TO BE
HELD IN ORIGINAL FORM
DO NOT DEPOSIT
(MUST SUBMIT TO FBI)

☐ G.P.D.
CONTINGENCY
FUND MONEY

☐ GAMBLING
RAID
SEIZURE

☐ MEDICAL
EXAMINERS
PROPERTY

☐ MIDEVMEANOR
STATE CHARGES

☐ FELONY

☐ JUVENILE

☐ HOMICIDE
RELATED

☐ ARSON

☐ NARCOTICS &
RELATED

RECOVERED SEIZED FROM - NAME
☐ DECEASED
☐ ARRESTED

OWNER'S NAME

Michael Tracy

Sgt Tandyk

ADDRESS

6447 S Archer

AT

BEAT OF RECOVERY

XII

TELEPHONE NO

JUDGE

CT BR

FOUND BY - NAME
IF C.P.D. CHECK

Michael Tracy

ADDRESS

5858 S Ruthersford

TELEPHONE NO

OFFICER'S SIGNATURE

STAR UNIT

HOLD FOR INVESTIGATION
AND/OR EVIDENCE

INVESTIGATING OFFICER - NAME

STAR NO

UNIT

1st OFFICER'S NAME

Sgt Tandyk

STAR NO

UNIT

E & R.P.S. USE ONLY

PROPERTY OWNER NOTIFIED ON

DAY MONTH YEAR

HOW NOTIFIED
☐ IN PERSON
☐ PHONE
☐ MAIL

SIGNATURE

Sgt Tandyk

STAR NO

UNIT

2nd OFFICER'S NAME

STAR UNIT

TO BE DISPOSED OF BY CUSTODIAN (NOT TO BE RETURNED)
(THIS APPLIES IF PROPERTY IS NOT EVIDENCE, NOT RETURNABLE AND OR OWNER IS UNKNOWN)

INITIAL DESTINATION OF PROPERTY
☐ MEDICAL EXAMINER
☐ AUTO POUND NO

SIGNATURE

UNIT

VIA ☐ POLICE MAIL
☐ E & R.P.S. PICKUP

RECOVERING UNIT PERSONNEL
APPROVING DESK SERGEANT

STAR NO

DATE

12/19/02

UNIT

1405

COPY 1 - KEEP WITH PROPERTY

ATTACHMENT # 15

DATE
RECEIVED

Feb 02



CROSS REFERENCE
RD NO

HH 165372

LINE NO

QUANTITY

DESCRIPTION OF PROPERTY

U.S.C. ONLY

1 1 Colt Revolver, 357 cal, 4 in Bar Serial # 510586 \$ N V

2 Model Trooper me 3, blue steel

3 Ref - CR # 278101

4

5 P.O. Weapon - Do Not Deface

6 Weapon clear - registered

7

EVIDENCE & RECOVERED PROPERTY SECTION USE ONLY

TOTAL CASH U.S.C. \$ N V

MY SIGNATURE HEREON ACKNOWLEDGES RECEIVING ALL PROPERTY DESCRIBED IN THIS INVENTORY
RECIPIENT'S SIGNATURE
ADDRESS - STREET
CITY STATE ZIP
DATE RECEIVED
OFFICER'S SIGNATURE - STAR - UNIT
WATCH COMMANDER'S APPROVAL SIGNATURE (EXEMPT RANK REQUIRED FOR FIREARMS)
COURT ORDER - DISPOSAL INSTRUCTIONS

ATTACHMENT # 16

COURT DATE

COURT BRANCH

COURT CALL

CHECK ALL BOXES APPLICABLE

☐ U.S. CURRENCY TO BE HELD IN ORIGINAL FORM - DO NOT DEPOSIT - (MUST SUBMIT TO FBIHQ)

☐ MISDEMEANOR STATE CHARGES

☐ FELONY

☐ JUVENILE

☐ CPD CONTINGENCY FUND MONEY

☐ GAMBLING RAID SEIZURE

☐ MEDICAL EXAMINER'S PROPERTY

☐ HOMICIDE

☐ ARSON

☐ NARCOTICS & RELATED

RECOVERED/SEIZED FROM - NAME

☐ DECEASED

☐ ARRESTED

OWNER'S NAME

FOUND BY - NAME

IF CPD

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COPY 1 - KEEP WITH PROPERTY

CHICAGO POLICE

approximations or summaries unless indicated otherwise.

1 DAY 3 FEB 02 10235

1. INCIDENT/OFFENSE CLASSIFICATION LAST PREVIOUS REPORT

CDTP

1. ICR OFF. CODE 1310

2. ADDRESS OF ORIG. INCIDENT/OFFENSE

1. VERIFIED 2. CORRECTED

3. BEAT OF OCCUR.

811

5. VICTIM/SUBJECT'S NAME AS SHOWN ON LAST PREVIOUS REPORT

Magers Karen

6. FIRE RELATED

1. YES 2. NO

7. BEAT ASSIGNED

846

8. VICTIM/SUBJECT'S ADDRESS

9. TYPE OF LOCATION OR PREMISE WHERE INCIDENT/OFFENSE OCCURRED

Residence

LOCATION CODE

290

10. DESCRIBE PROPERTY IN NARRATIVE

T - TAKEN R - RECOVERED

1. CASH

2. JEWELRY

3. FURS

4. CLOTHING

5. OFFICE EQUIPMENT

6. TV, RADIO, STEREO

7. HOUSEHOLD GOODS

8. CONSUM. GOODS

9. FIREARMS

10. NARC/DANGEROUS DRUGS

11. OTHER

12. NONE

13. SEX-RACE-AGE

HEIGHT

WEIGHT

EYES

HAIR

COMPL.

14. C.B. NO.

15. I.R. NO., Y.D. NO.

OFFENDER REL. CODE

C.B. NO.

16. OFF. NO., Y.D. NO.

OFFENDER REL. CODE

17. NO. OF ARREST

UNIT NO.

18. OFF. VEHICLE

YEAR

MAKE

BODY STYLE

COLOR

V.I.N.

STATE LICENSE NO.

STATE

19. NARRATIVE

Below listed weapons inventoried in the above investigation

#1 1- Colt. Leuduck, model King Cobra 357 caliber, serial # KUG309, 4 in

#2 1- S/W SAP, caliber 9 model MD 3913, serial # TEH 5635 3.5 in

#3 1- INR 4 SAP model PPKS 380 caliber, serial # 038648 3. in

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90. EXTRA COPIES REQUIRED (NO. & RECIPIENT)

93. REPORTING OFFICER (PRINT NAME)

STAR NO.

SIGNATURE

31. DATE THIS REPORT SUBMITTED

DAY

MO.

YR.

TIME

13410

32. SUPERVISOR APPROVING (PRINT NAME)

STAR NO.

SIGNATURE

33. REPORTING OFFICER (PRINT NAME)

STAR NO.

SIGNATURE

34. DATE APPROVED (DAY-MO-YR)

TIME

4 FEB 02

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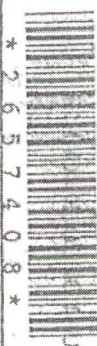
#2 S/W revolver model M0640 38cal 2in Serial# CEN1095

CPD-11.411-A (REV. 8/85)

*MUST BE COMPLETED IN ALL CASES

C. N. 278101
ATTACHMENT # 18

DATE: DAY MONTH YEAR
3 Feb 82



CROSS REFERENCE
RD NO
2

HH 16507

RE NO. QUANTITY

DESCRIPTION OF PROPERTY

U.S.C. ONLY

1 11 Rdy/SEM CAUSEN 380 Build 3. inch SEM 44 #

2 MANUFACTURER/INTERVIEW, Blue Model PPK's PD - 11A

3 1 Clif

4 R.D. WEAPON MEMORIS clear

5 DONUT DEFACE Section to R.D.

6

7

COURT DATE

COURT CALL

CHECK ALL BOXES APPLICABLE

U.S. CURRENCY TO BE HELD IN ORIGINAL FORM

U.S. CURRENCY TO BE DEPOSITED

WISDOM AND/OR STATE CHARGES

RECOVERED/SEIZED FROM NAME

DECEASED TO ARRESTED

OWNER'S NAME

FOUND BY NAME

ICPD

HOLD FOR INVESTIGATION

PROPERTY OWNER NOTIFIED

TO BE DISPOSED BY CUSTODIAN

WHEN THIS PORTION IS RETURNED TO THE RECOVERING UNIT, IT MUST BE BY AN E & RPS OFFICER AND IT TO COPY 5 (IN BOOK)

COPY 1 RECEIVED BEARING SIGNATURES INDICATING ALL PROPERTY WAS RELEASED BY FIELD UNIT PERSONNEL

COPY 1 RECEIVED BEARING SIGNATURES INDICATING ALL PROPERTY WAS RELEASED BY FIELD UNIT PERSONNEL

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DATE DAY MONTH YEAR
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U.S.C. ONLY

E. & R.P.S. RECEIPT
 INSTRUCTIONS

278101
 ATTACHMENT 20

DESCRIPTION OF PROPERTY

1 Pistol / Colt Revolver 6 Shot
 2 SEMA # KV6309 MODEL-KING 40619
 3 Blue Barrel 4 inch
 4 P.O. WEAPON TX NOT DEFACE
 5 WEAPON ELEMENT
 6 WEAPON ELEMENT
 7 WEAPON ELEMENT

EVIDENCE & RECOVERED PROPERTY SECTION USE ONLY

TOTAL CASH US\$

1 COPY 1 RECEIVED BEARING SIGNATURES INDICATING ALL PROPERTY WAS RELEASED BY FIELD UNIT PERSONNEL

2 COPY 1 RECEIVED BEARING SIGNATURES INDICATING PART OF PROPERTY RELEASED BY FIELD UNIT PERSONNEL; REMAINING PROPERTY RECEIVED

3 COPY 1 AND ALL PROPERTY RECEIVED

4 COPY 1 AND PROPERTY RECEIVED -- SUBJECT TO CORRECTIONS AS NOTED ON ATTACHED FORM CPD-34.531

5 VOIDED COPY 1 RECEIVED: SEE INVENTORY

6 OTHER COMMENTS

COURT CASE NO. 282bba

COURT CASE NO. 282bba

1. COPY 1 AND ALL PROPERTY RECEIVED

2. COPY 1 AND PROPERTY RECEIVED -- SUBJECT TO CORRECTIONS AS NOTED ON ATTACHED FORM CPD-34.531

3. COPY 1 AND PROPERTY RECEIVED

4. COPY 1 AND PROPERTY RECEIVED

5. COPY 1 AND PROPERTY RECEIVED

6. COPY 1 AND PROPERTY RECEIVED

RECOVERED FROM: NAME, ADDRESS, CITY, STATE, ZIP

DECEASED: NAME, ADDRESS, CITY, STATE, ZIP

OWNER'S NAME: Tracy, Michael S. 5858 S. Rutherford UNL

ADDRESS: 5858 S. Rutherford UNL

TELEPHONE NO.

1. COPY 1 AND ALL PROPERTY RECEIVED

2. COPY 1 AND PROPERTY RECEIVED -- SUBJECT TO CORRECTIONS AS NOTED ON ATTACHED FORM CPD-34.531

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5. COPY 1 AND PROPERTY RECEIVED

6. COPY 1 AND PROPERTY RECEIVED

FOUND BY: NAME, ADDRESS, CITY, STATE, ZIP

ADDRESS: 5858 S. Rutherford UNL

TELEPHONE NO.

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HOLO FOR INVESTIGATION: NAME, ADDRESS, CITY, STATE, ZIP

ADDRESS: 5858 S. Rutherford UNL

TELEPHONE NO.

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INITIAL DESTINATION OF PROPERTY: NAME, ADDRESS, CITY, STATE, ZIP

ADDRESS: 5858 S. Rutherford UNL

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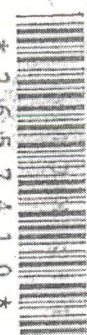
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DATE
RECOVERED
3 Feb 1982



CROSS REFERENCE
RD NO
14416537

LINE NO.

QUANTITY

DESCRIPTION OF PROPERTY

U.S.C. ONLY

E. & R.P.S. RECEIPT
INSTRUCTIONS
WHEN THIS PORTION IS RETURNED TO THE RECOVERING UNIT SIGNATURES INDICATING ALL PROPERTY WAS RELEASED BY FIELD UNIT PERSONNEL

ATTACHMENT # 27

1	1	S.W. BISH/SEN	CALBENQ	STAR NO	278101
2	1	MODEL 3913	BRUNEL 3.5 inch	STAR NO	278101
3	1	SLIP, SERIAL # TEH 5635	PC	STAR NO	278101
4	1	SLIP, SERIAL # TEH 5635	PC	STAR NO	278101
5	1	WEAPON, DNT	DEFACE	STAR NO	278101
6	1	WEAPON, DNT	DEFACE	STAR NO	278101
7	1	WEAPON, DNT	DEFACE	STAR NO	278101
8	1	WEAPON, DNT	DEFACE	STAR NO	278101
9	1	WEAPON, DNT	DEFACE	STAR NO	278101
10	1	WEAPON, DNT	DEFACE	STAR NO	278101
11	1	WEAPON, DNT	DEFACE	STAR NO	278101
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19	1	WEAPON, DNT	DEFACE	STAR NO	278101
20	1	WEAPON, DNT	DEFACE	STAR NO	278101

EVIDENCE & RECOVERED PROPERTY SECTION USE ONLY

COURT DATE

COURT BENCH

COURT CALL

CHECK ALL BOXES APPLICABLE

U.S. CURRENCY

DO NOT DEPOSIT

RECOVERED FROM KIDNAP

DECEASED

OVERS NAME

FOUND BY NAME

AND/OR EVIDENCE

PROPERTY OWNER NOTIFIED

TO BE DISPOSED BY CUSTODIAN (NOT TO BE RETURNED)

INITIAL DESTINATION OF PROPERTY

VIA

CRIME LABORATORY

RECOVERING UNIT PERSONNEL

E & RPS OFFICER

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CRIME SCENE PROCESSING REPORT
CHICAGO POLICE DEPARTMENT
02-034-07037

CLASSIFICATION OF OFFENSE/INCIDENT I-UCR CODE OTHER NO.

RD NO

Criminal Damage to Prop, 1310

HH-165-372

ADDRESS OF SERVICE

VICTIM'S NAME

SEX-RACE-AGE

AREA-DIST-BEAT OCCUR

MAGERS Karen

F/W/27

01 008 811

ASSIGNMENT TYPE

REQUESTED BY

DATE RECEIVED-TIME

UNIT ASSIGNED

C/S

A.D.S. Kajari

03 Feb 02 1645

9603

PHOTOGRAPHY

A O/A Interior of Residence

B C/U Damage to Bathroom Wall / Door

C C/U Damage to Garage & Porch

B C/U Damage to Kitchen Wall

E C/U Damage to Bedroom Dresser

H C/U Firearm Evidence

C C/U Damage to Kitchen Cabinet

F C/U Damage to Interior Door

FINGERPRINTS	ELIM. PRINTS ☐ YES ☐ NO	IN CUSTODY ☐ YES ☐ NO	NAME (LAST-FIRST)	SEX-RACE	D.O.B.	C.B.NO.	IR NO.
MED NEGLIFT	LOCATION FOUND		F.N.	MED NEGLIFT	LOCATION FOUND		F
	D---N---A						

POSSIBLE SUSPECT INFORMATION
☐ MALE ☐ FEMALE☐ ADULT ☐ JUVENILE

RACE

TOTAL NO OF LIFTS

DATE OF TRANSMITTAL

☐ PALMS ☐ IMPRESSIONS
☐ FINGERPRINTS

☐ SUITABLE FOR COMPUTER
☐ YES ☐ NO

☐ PRINTS SUITABLE FOR COMPARISON
☐ YES ☐ NO

INITIALS OF EXAMINER

DATE

VEH YEAR

MAKE & MODEL

COLOR

STATE LICENSE NO.

V.I.N.

PHYSICAL EVIDENCE

PROP INVENT NO - UNIT	DESCRIPTION & LOCATION	INITIAL DES
2631880 177	(4) Four "F.C." 380 Auto Cartridge Cases (Inside Garbage Bag Received From Karen Magers)	FA
2631881 177	(1) One Fired Bullet (Inside Wagner Box on Shelf in Garage)	FA
2631882 177	(1) One Fired Bullet (Inside City Garbage Can in Rear of Residence)	FA

DETAILS OF CASE

Upon arrival R/Is met with A.D.S. Kajari who requested that R/Is process the above residence in regards to evidence related to a criminal damage to property. R/Is photographed the scene as found and searched for evidence as listed. R/Is also photographed damage to the swimming pool in the rear yard and damage to the garage.

INVESTIGATING OFFICER'S NAME -	STAR NO	UNIT	BEAT OFFICER'S NAME -	STAR NO	UNIT
Det. Scanlon 20922 / Foster	20288	610			
REPORTING TECHNICIAN - PRINT LAST NAME - FIRST - STAR NO - UNIT					
Inv. Daniel K. Grzemeski 11594		177	DATE ARRIVED	TIME	TIME COMPLETED
Inv. Peter Larcher 21165			03 Feb 02	1715	2100
TECHNICIAN'S SIGNATURE	DATE	APPROVING SUPERVISOR (PRINT NAME) STAR NO			
<i>[Signature]</i>	03 Feb 02	<i>[Signature]</i> 278101			
		SUPERVISOR'S SIGNATURE ATTACHMENT # 22			

CPD-21 949 (REV 10/92)

RD HH-165-372

ILLINOIS STATE POLICE

DIVISION OF FORENSIC SERVICES*FORENSIC SCIENCES COMMAND*FSC-C
EVIDENCE SUBMISSION FORM FOR CHICAGO POLICE DEPARTMENT

ISP CASE#

PAGE 1 OF 1

RD#: HH165372	OFFENSE: DATE OF OFFENSE: 03 Feb 2002	SUBMITTING OFF/DET.: Investigator J. Cotto #210
VICTIM(S): CPD Officer #1 MAGERS, Karen	VICTIM IR/SID#'S: #1	CONTACT OFF/DET.: CPD - OPS
#2	#2	PHONE #: 312-745-3609
#3	#3	PAGER #: MOBILE: [REDACTED]
SUSPECT(S): CPD Officer #1 TRACY, Michael	SUSPECT IR/SID#'S: #1	DISTRICT/AREA: UNIT: 113 - OPS
#2	#2	DET'S WORK HOURS: 1100-1900
#3	#3	DATE: 04 Feb 2002

INSTRUCTIONS:

*PLEASE LIST ALL INVENTORIES AND LINE ITEMS SEPARATELY

**INCLUDE ALL CRIME SCENE PROCESSING AND CASE REPORTS*

*PLEASE SPECIFY WHICH SECTION(S) EACH ITEM SHOULD GO TO

**FAX THIS SIDE OF THE FORM ONLY TO FSD AT (312)746-6748*

INVENTORY/ LINE ITEM	ITEM DESCRIPTION FIREARMS SECTION	SPECIFIC REQUEST FOR ANALYSIS	BOX TYPE *FSD ONLY*
2657408	Innerarms #PPKS, -380 Semi-Auto matic pistol, Serial#038648	Need firearm worksheet and comparison of fired evidence to listed below(2631880-82)	
2657409	Colt Model #King Cobra 357 Revolver, Serial #KV6309	Need firearm worksheet and comparison of fired evidence to listed below(2631880-82)	
2657410	Smith & Wesson #MD3913, 9MM Semi-Automatic, Serial#TEH5635	Need firearm worksheet and comparison of fired evidence to listed below(2631880-82)	
2631880	Four (4) 380 auto cartridge cases	Need comparison to firearms listed above (2657408-10)	
2631881	One fired bullet	Need comparison to firearms listed above (2657408-10)	
2631882	One fired bullet	Need comparison to firearms listed above (2657408-10)	

PLEASE INCLUDE A BRIEF CASE SUMMARY:

The suspect, Michael TRACY, is accused of firing several shots in and around his residence which he shares with the victim, Karen MAGERS.

C. R. 278101
ATTACHMENT # 23

*IF MORE SPACE IS NEEDED PLEASE USE THE CONTINUATION TO THIS FORM

ISP 6-634 (09/00)

ILLINOIS STATE POLICE
Division of Forensic Services
Forensic Science Center at Chicago
1941 West Roosevelt Road
Chicago, Illinois 60608-1229
(312) 433-8000 (Voice) * 1-(800) 255-3323 (TDD)

George H. Ryan
Governor

February 8, 2002

Sam W. Nolen
Director

INVESTIGATOR I. COTTO #210
CHICAGO POLICE DEPARTMENT UNIT 113
OFFICE OF PROFESSIONAL STANDARDS
10 WEST 35TH STREET
CHICAGO IL 60653

Laboratory Case #C02-006027
RD #H0165372

SUSPECT: Michael Tracy
VICTIM: Karen Magers

The following evidence was received by the Forensic Science Center at Chicago on February 6, 2002:
Inventory# 2657408

<u>EXHIBIT</u>	<u>ITEM SUBMITTED</u>	<u>FINDINGS</u>
4	Walther, model PPK/S, 380 Auto caliber semiautomatic pistol, serial #038648	Exhibit #4 was examined, found to be in firing condition and test fired.
5	One magazine	Exhibit #5 was used to test fire Exhibit #4.

The following evidence was received by the Forensic Science Center at Chicago on February 6, 2002:
Inventory# 2631882

<u>EXHIBIT</u>	<u>ITEM SUBMITTED</u>	<u>FINDINGS</u>
6	One fired bullet	Exhibit #6 and Exhibit #7 were fired from Exhibit #4.

The following evidence was received by the Forensic Science Center at Chicago on February 6, 2002:
Inventory# 2631881

<u>EXHIBIT</u>	<u>ITEM SUBMITTED</u>	<u>FINDINGS</u>
7	One fired bullet	See findings for Exhibit #6.

C. D. 278101
23A

CHICAGO POLICE DEPARTMENT UNIT 113
Laboratory Case #C02-006027

-2-

February 8, 2002

The following evidence was received by the Forensic Science Center at Chicago on February 6, 2002:
Inventory# 2631880

EXHIBIT
8

ITEM SUBMITTED
Four Federal 380 Auto caliber fired
cartridge cases

FINDINGS
All of the cartridge cases in Exhibit #8 were
fired in Exhibit #4.

EVIDENCE DISPOSITION:

If you have any questions regarding this report, please feel free to call me.

Respectfully submitted,



Jon M. Flaskamp
Forensic Scientist

C. R. 278101
230

REQUEST FOR EVIDENCE IDENTIFICATION PHOTOGRAPHS
CRIME LABORATORY DIVISION/CHICAGO POLICE

INSTRUCTIONS: COMPLETE ORIGINAL ONLY.
SUBMIT TO CRIME LABORATORY DIVISION.

DATE OF REQUEST <u>04 Feb 02</u>	EVIDENCE IDENTIFICATION NO. —	RECORDS DIVISION NO. <u>RD# 44165372</u>	TYPE OF INVESTIGATION/CASE <u>CR. 278101</u>	
REASON FOR REQUEST ☐ IDENTIFICATION ☐ EVIDENCE IN COURT ☒ INVESTIGATION ☐ OTHER (EXPLAIN) <u>3 sets please</u>				
REQUESTED BY - NAME <u>COHO, Twete</u>		STAR NO. <u>210</u>	UNIT OF ASSIGNMENT/AGENCY <u>115</u>	PAX/BELL <u>0112</u>
APPROVED BY - SIGNATURE, REQUESTER'S UNIT COMMANDING OFFICER <u>[Signature]</u>			RANK <u>Sup.</u>	STAR NO. <u>105</u>
TO BE COMPLETED BY CRIME LABORATORY DIVISION				

- ☐ REQUEST PROCESSED, SENT VIA POLICE MAIL TO REQUESTING UNIT COMMANDING OFFICER ON (DATE)
- ☐ REQUEST PROCESSED, PICKED UP BY (NAME) ON (DATE)
- ☐ REQUEST DENIED. REASON

REQUESTING UNIT COMMANDING OFFICER (NAME) INFORMED OF DENIAL
ON (DATE)

COMPLETED BY - CRIME LABORATORY DIVISION MEMBER'S NAME: _____
CPD-33.713 (5/82)

C. R. 278101
ATTACHMENT # 24

NO. HH-165-372

OFFENSE/INCIDENT
C.D.T.P.

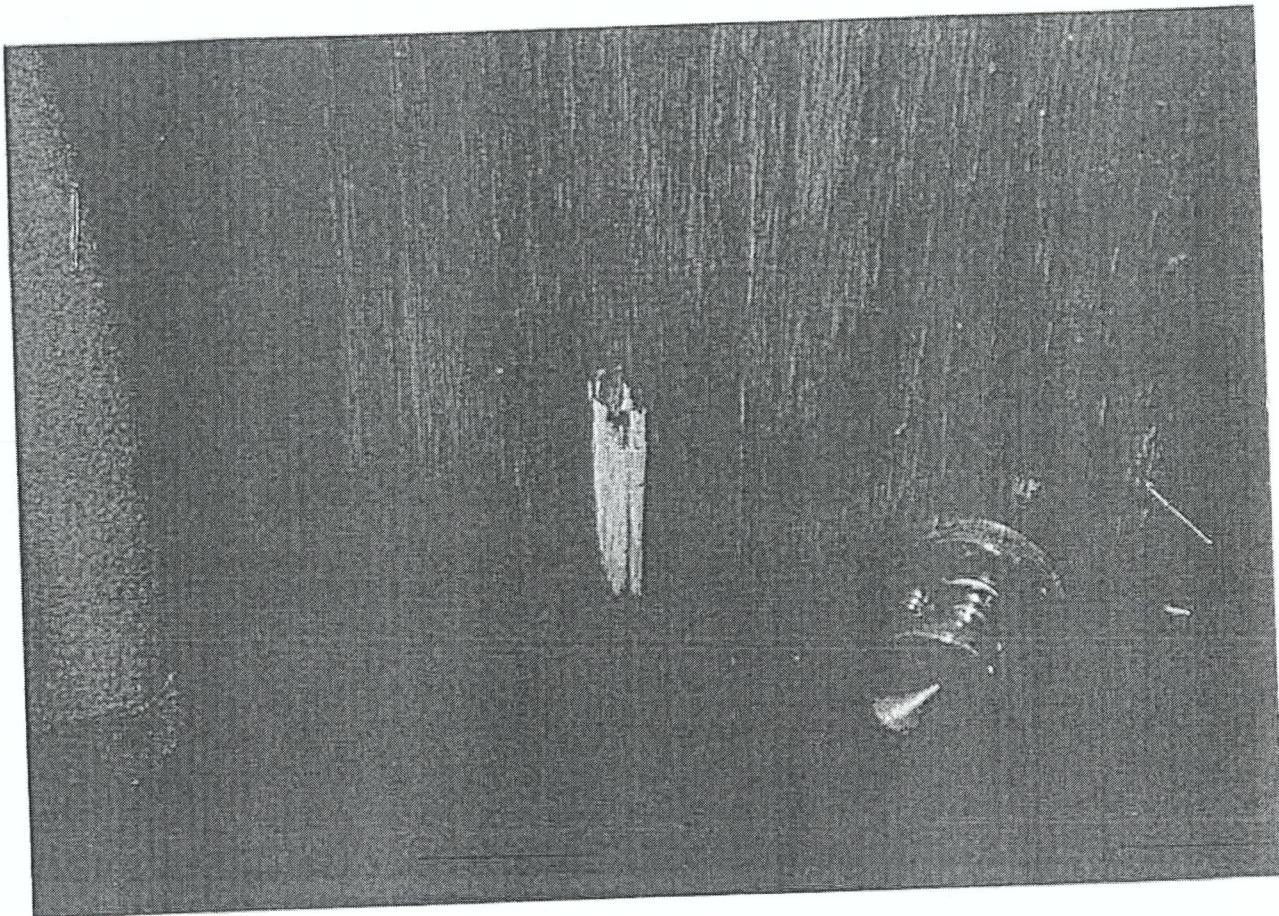
DATE & TIME PHOTOS TAKEN
3 FEB 02

PHOTOGRAPHER'S NAME
DG

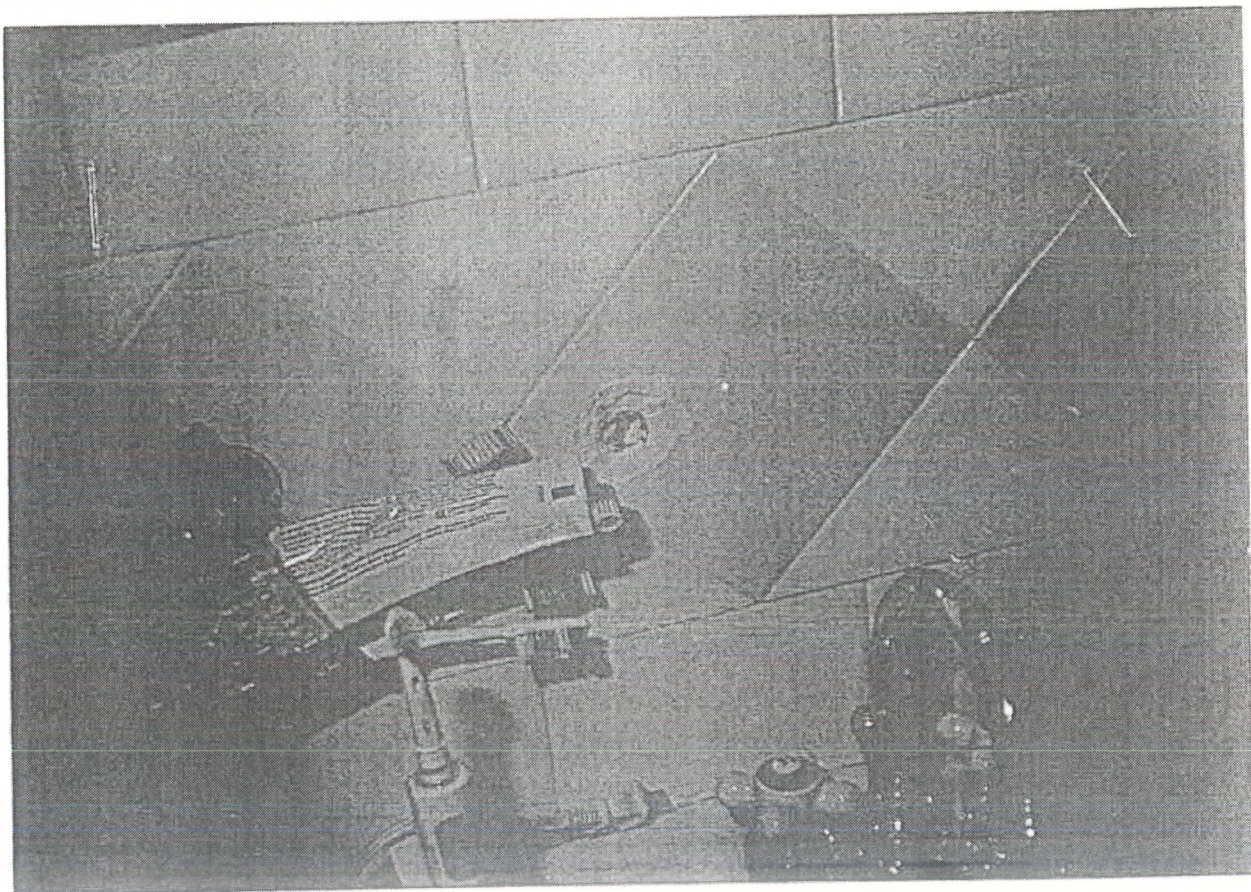
STAR NO.

Evidence photographs taken on 03 February 2002.

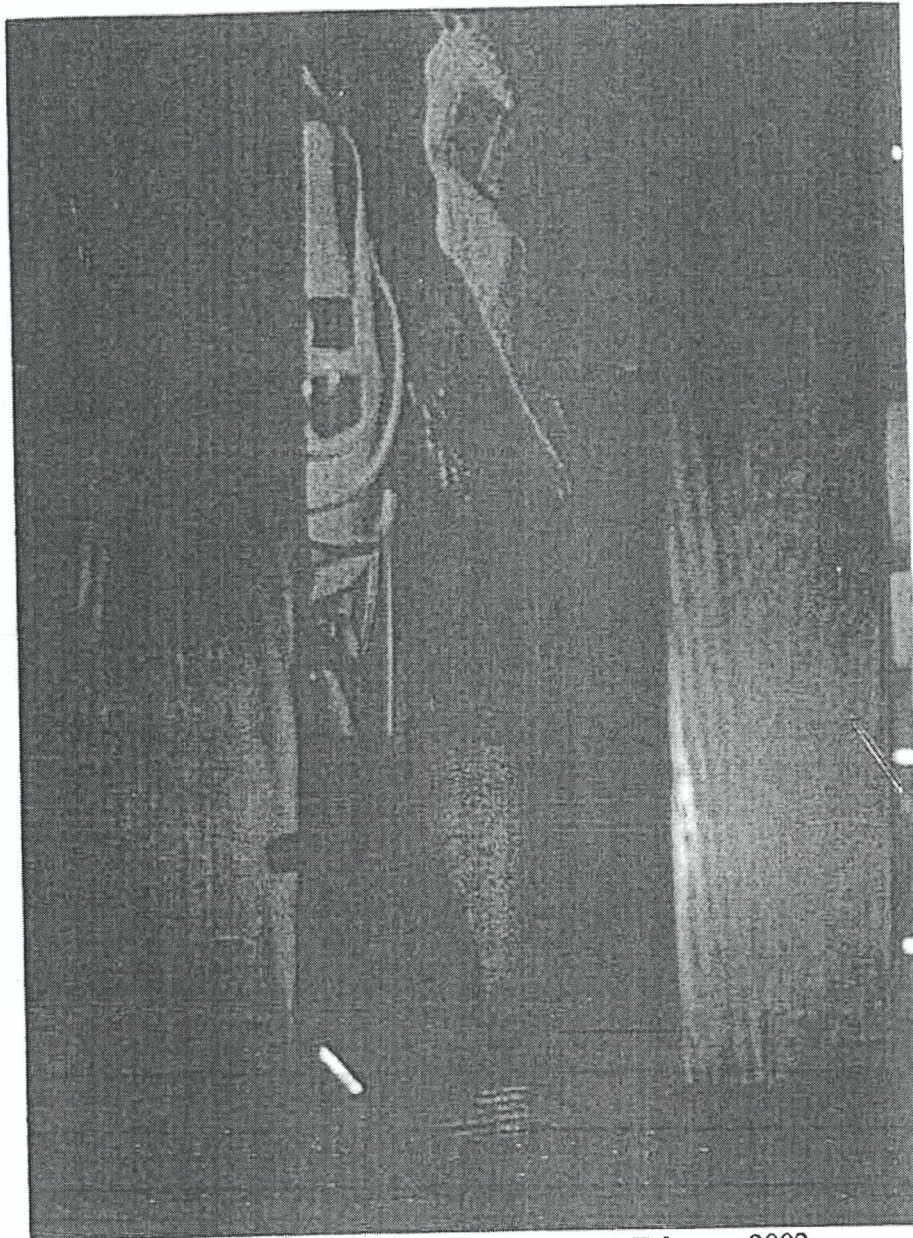
C.R. 278101
ATTACHMENT # 24A



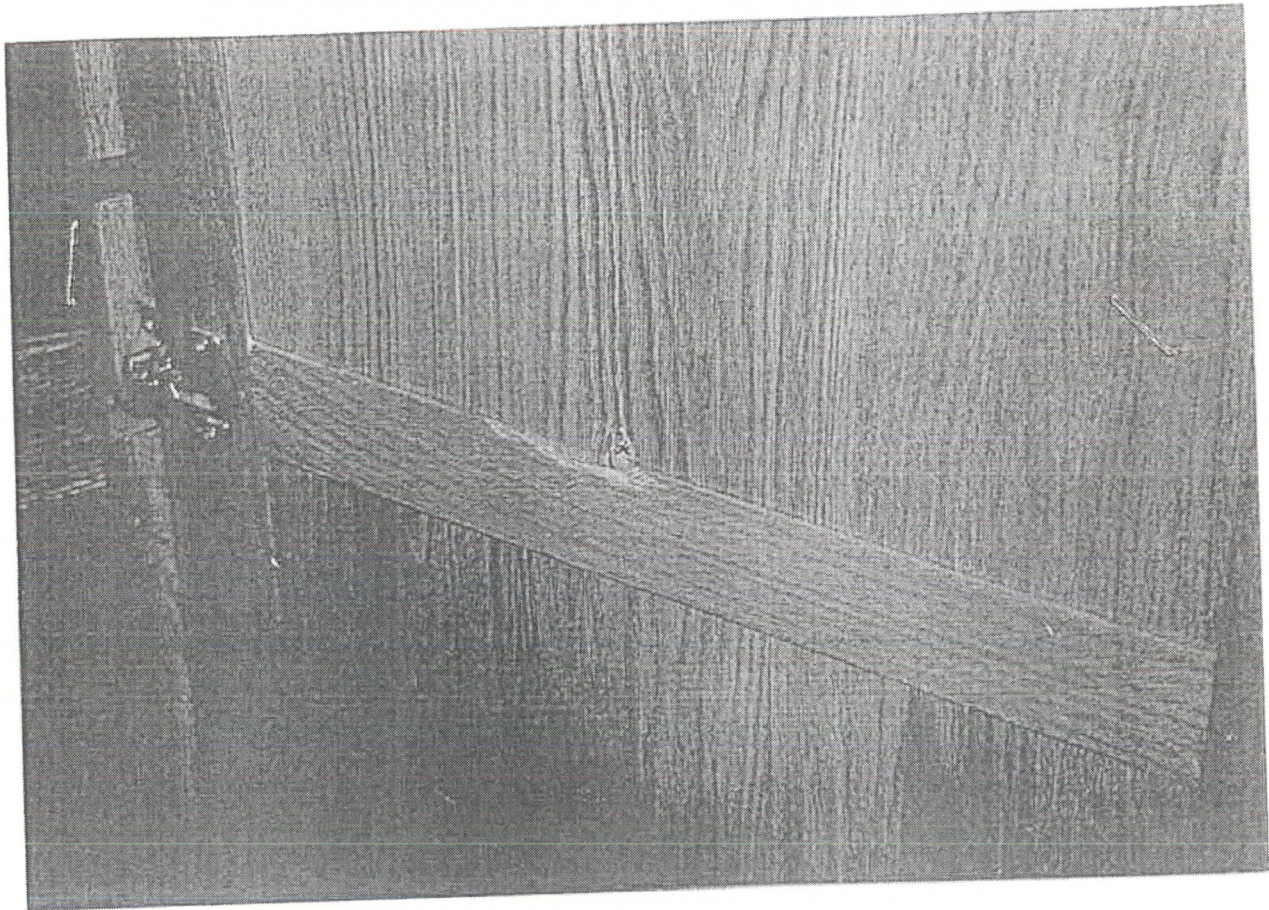
Evidence photographs taken on 03 February 2002.



Evidence photographs taken on 03 February 2002.

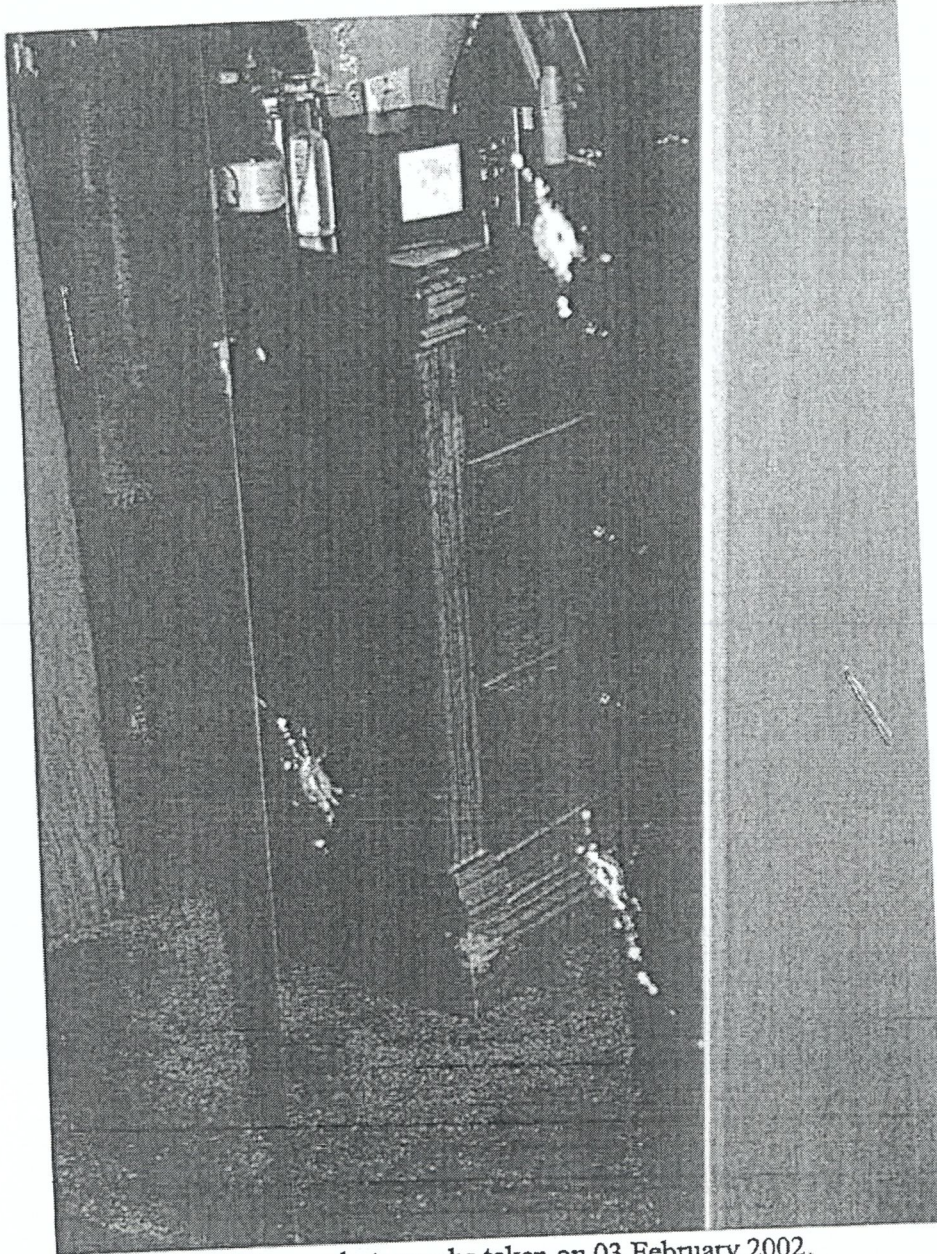


Evidence photographs taken on 03 February 2002.

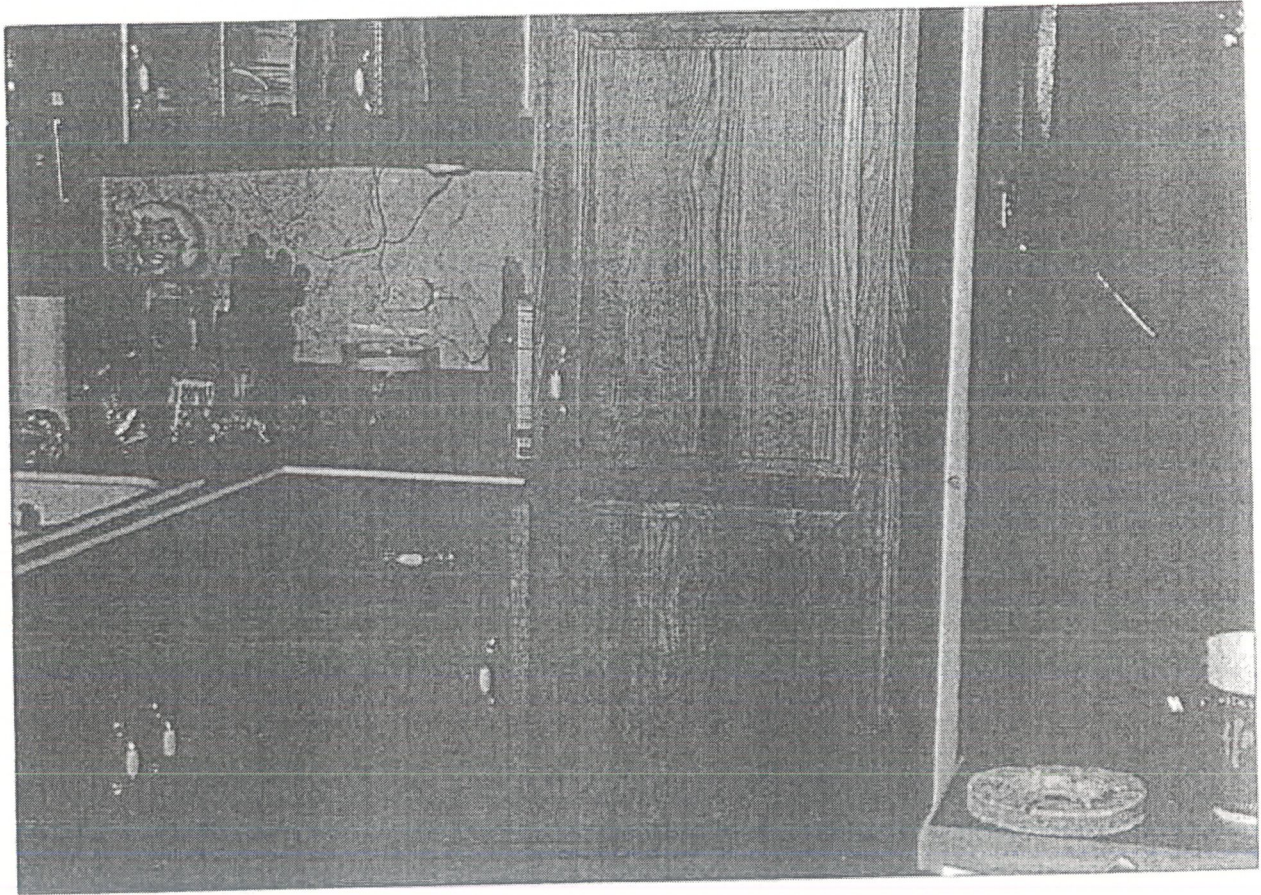


Evidence photographs taken on 03 February 2002.

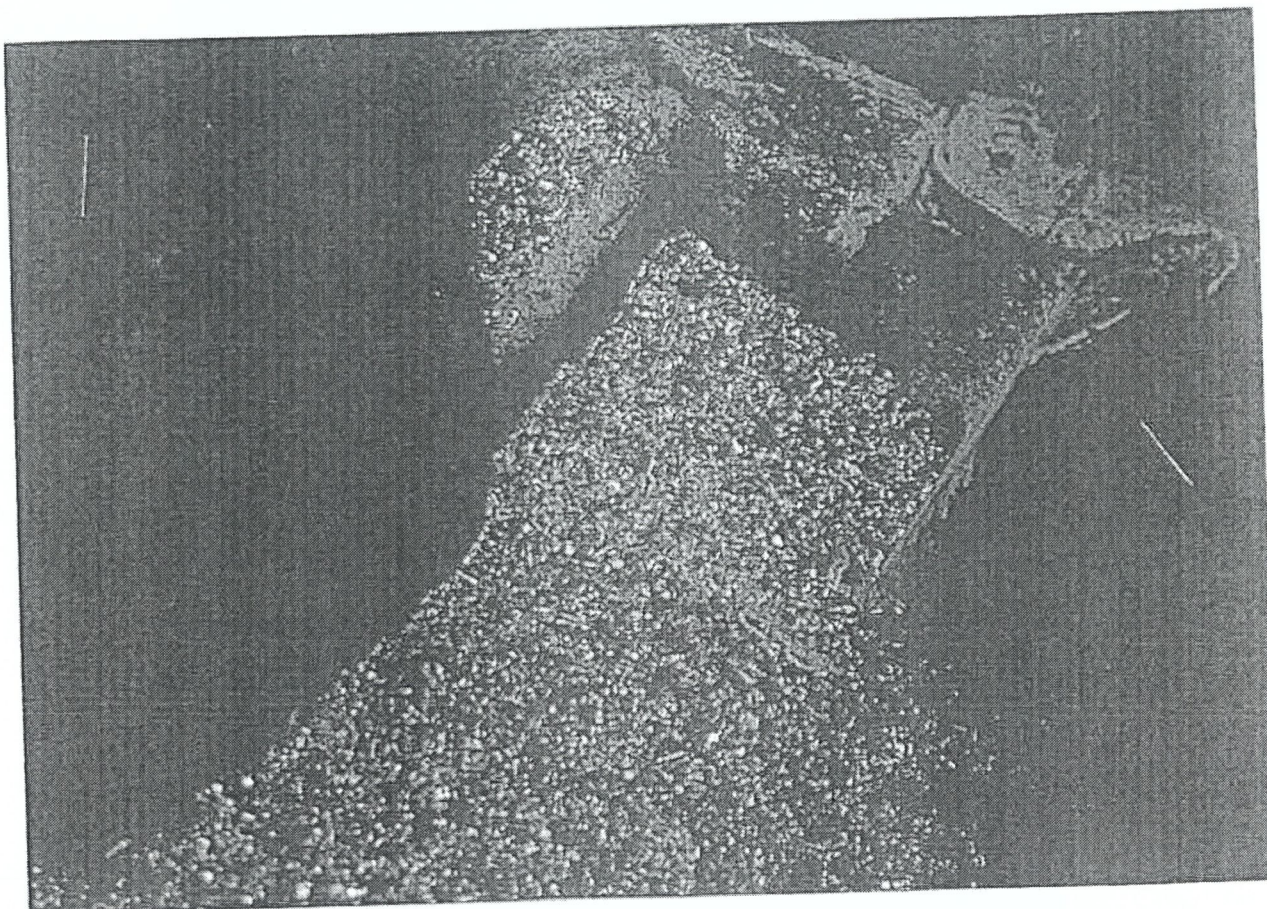
C. R. 278101
246



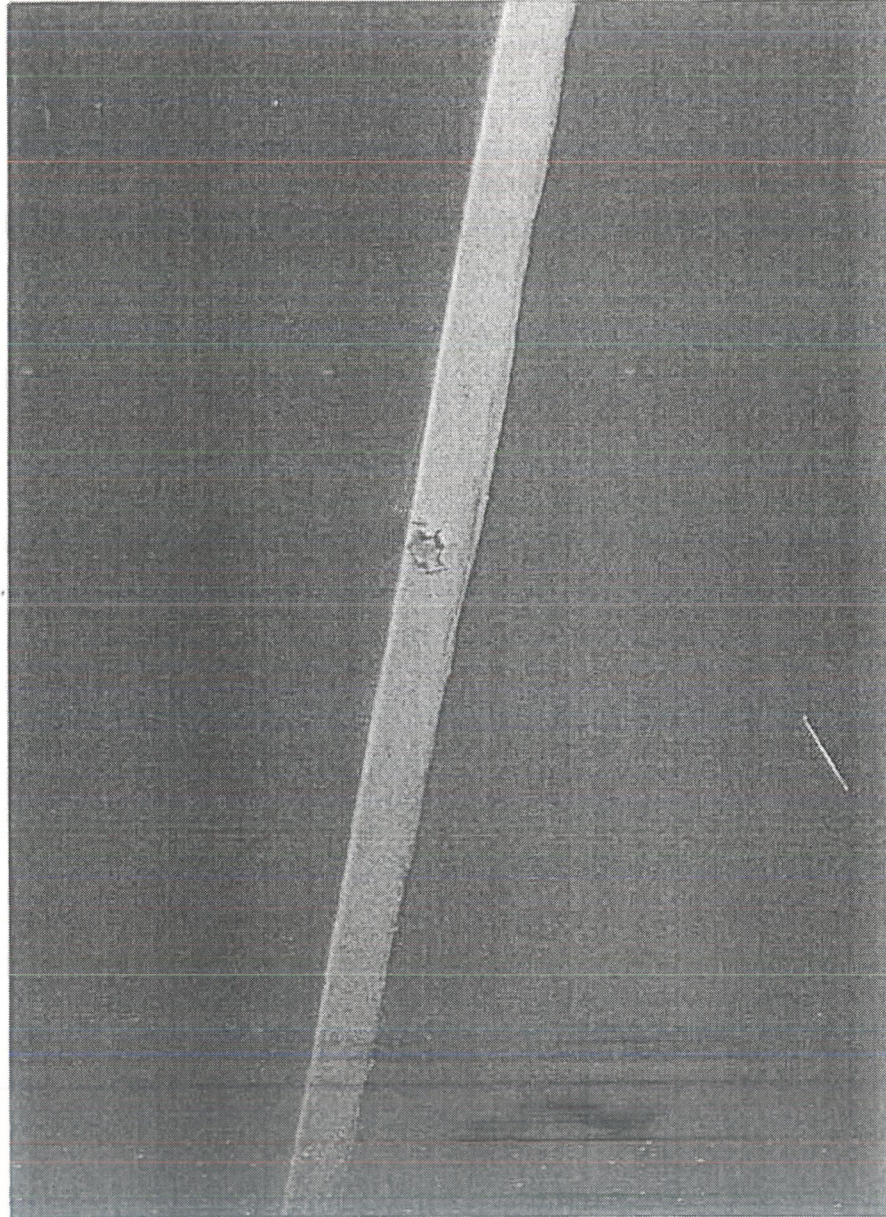
Evidence photographs taken on 03 February 2002.



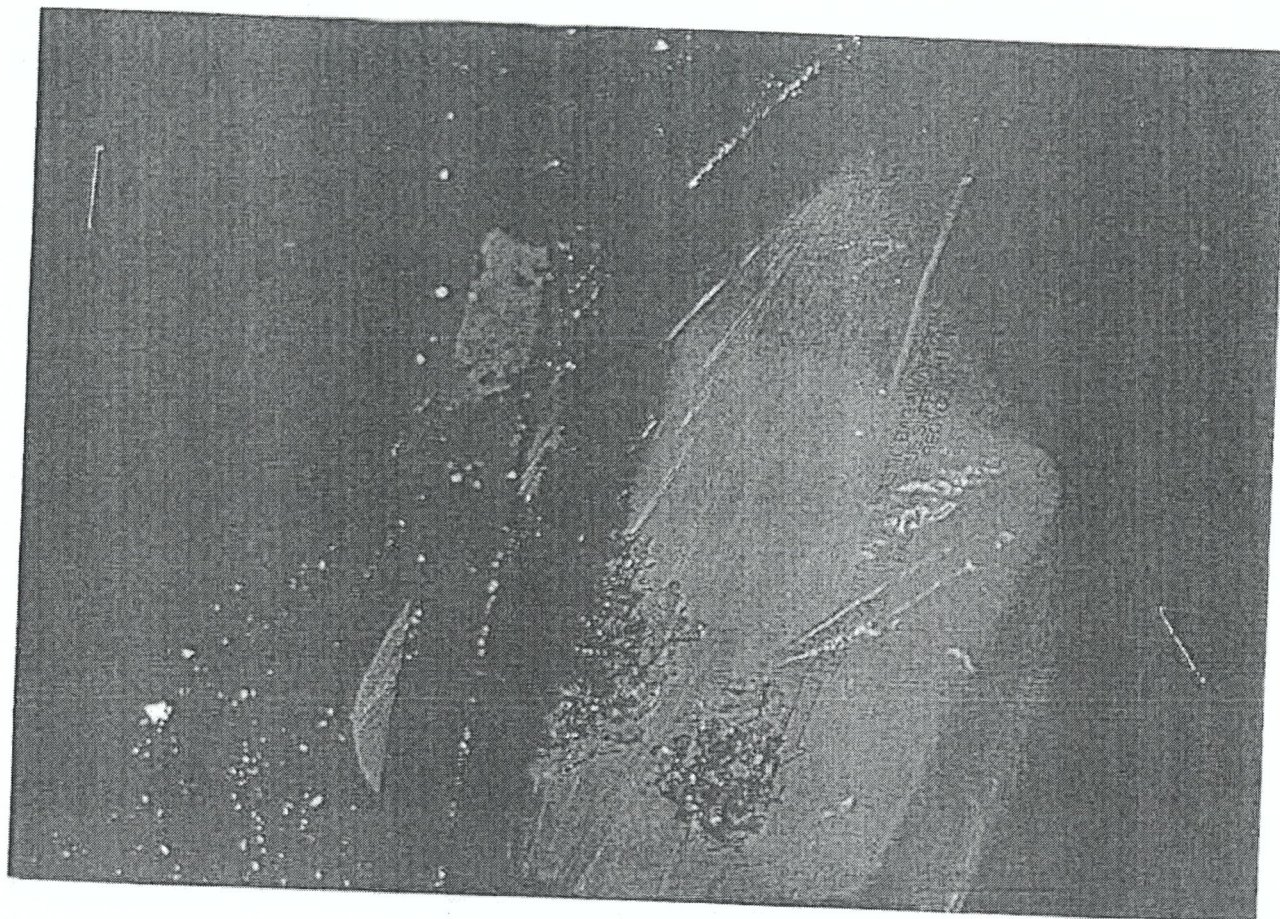
Evidence photographs taken on 03 February 2002.



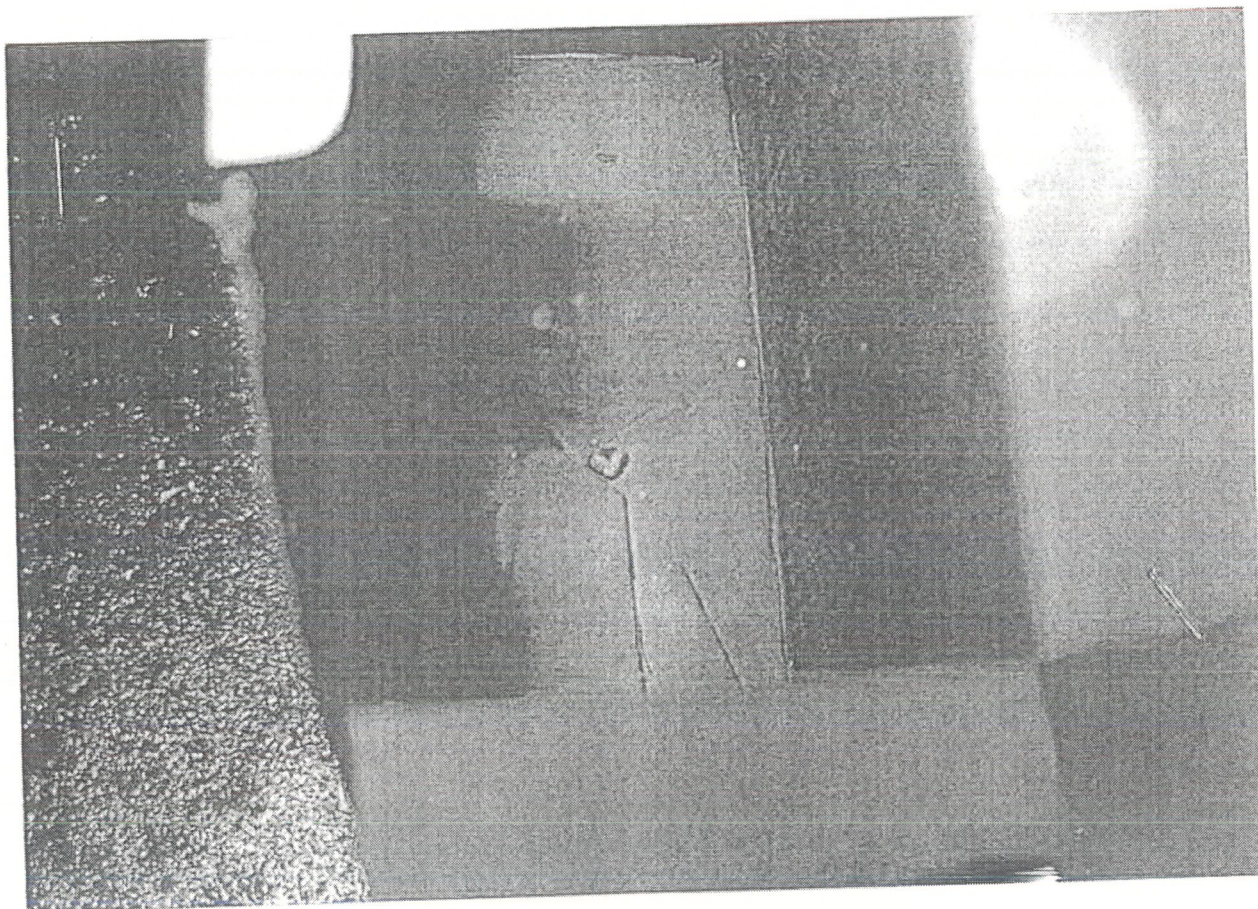
Evidence photographs taken on 03 February 2002.



Evidence photographs taken on 03 February 2002.

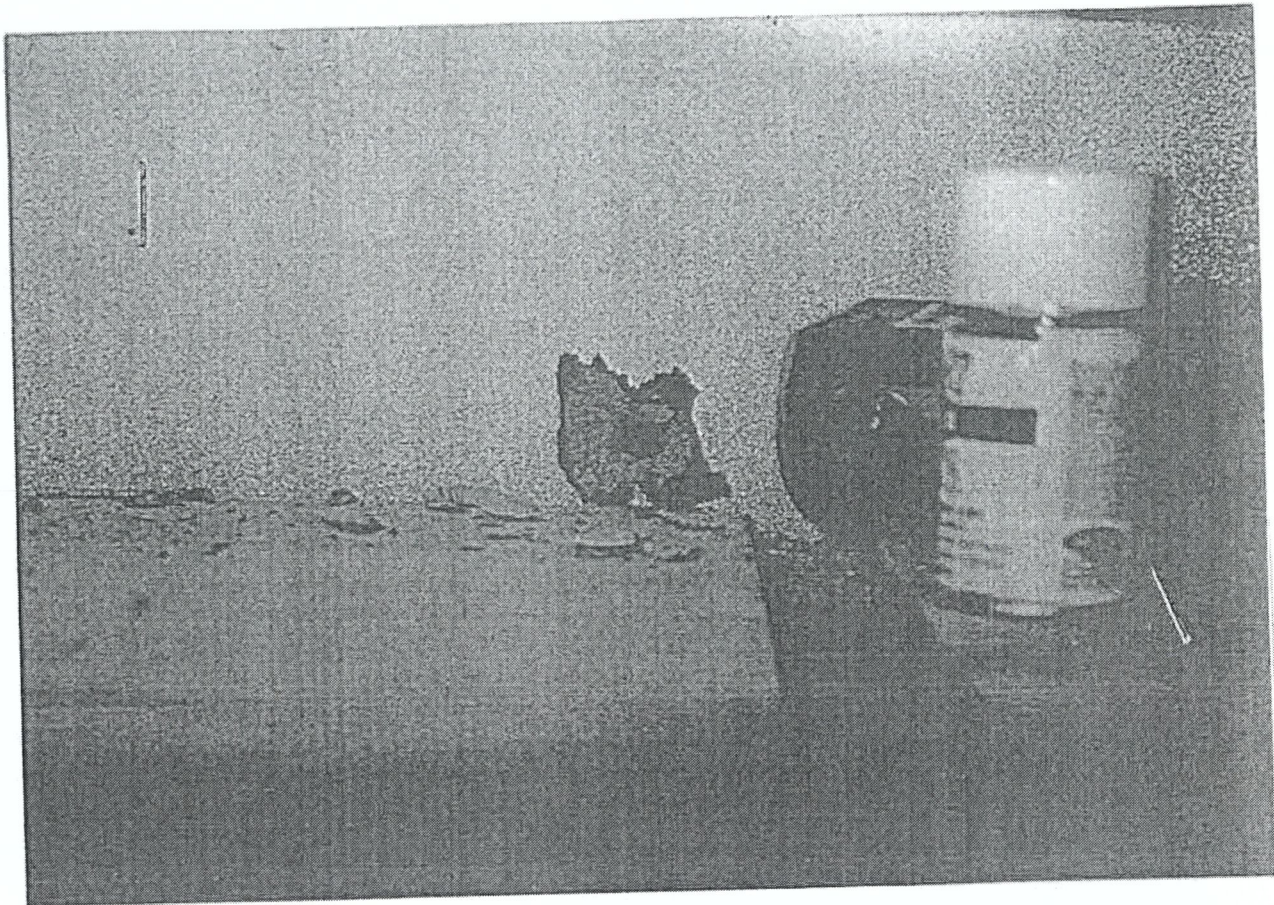


Evidence photographs taken on 03 February 2002.



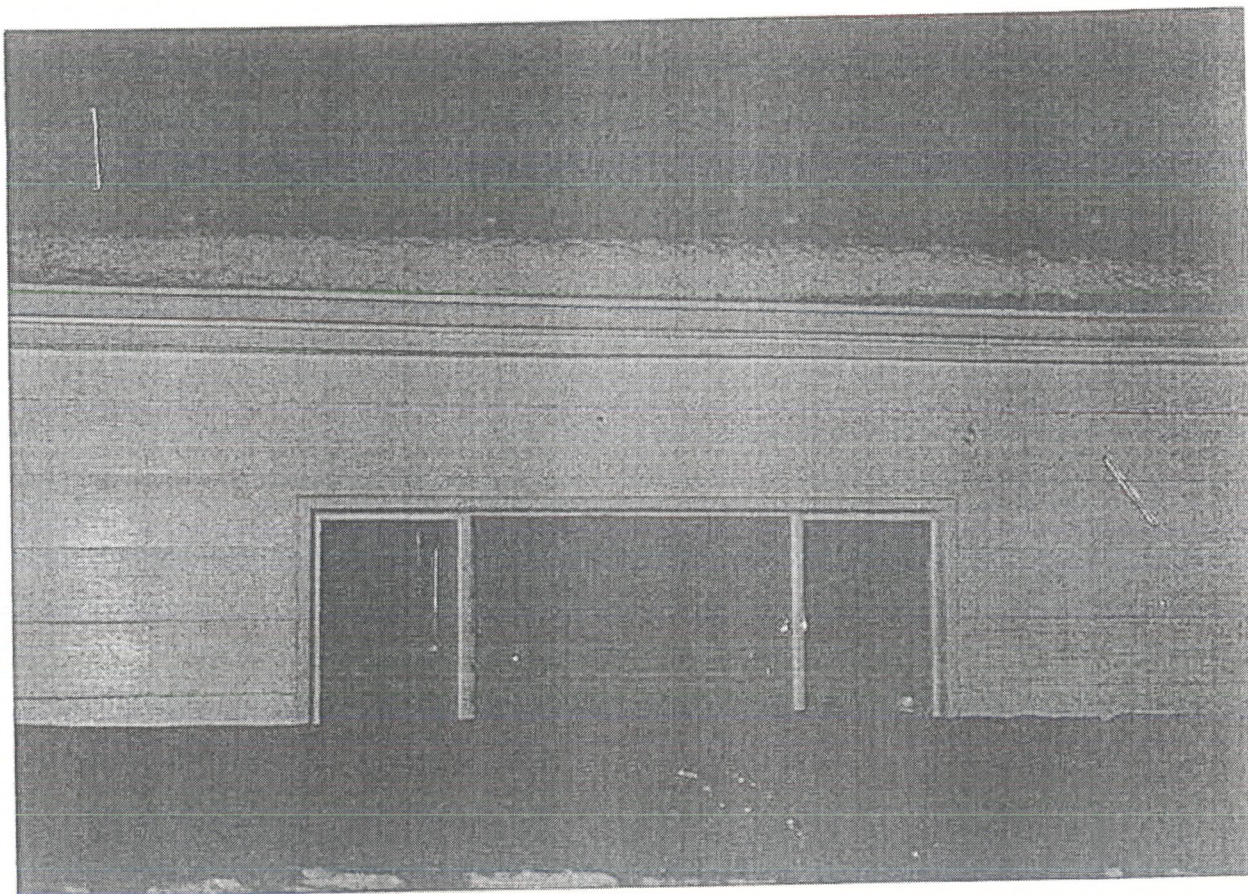
Evidence photographs taken on 03 February 2002.

C. R. 278101
ATTACHMENT # 241C



Evidence photographs taken on 03 February 2002.

C. R. 278101
ATTACHMENT # 24C

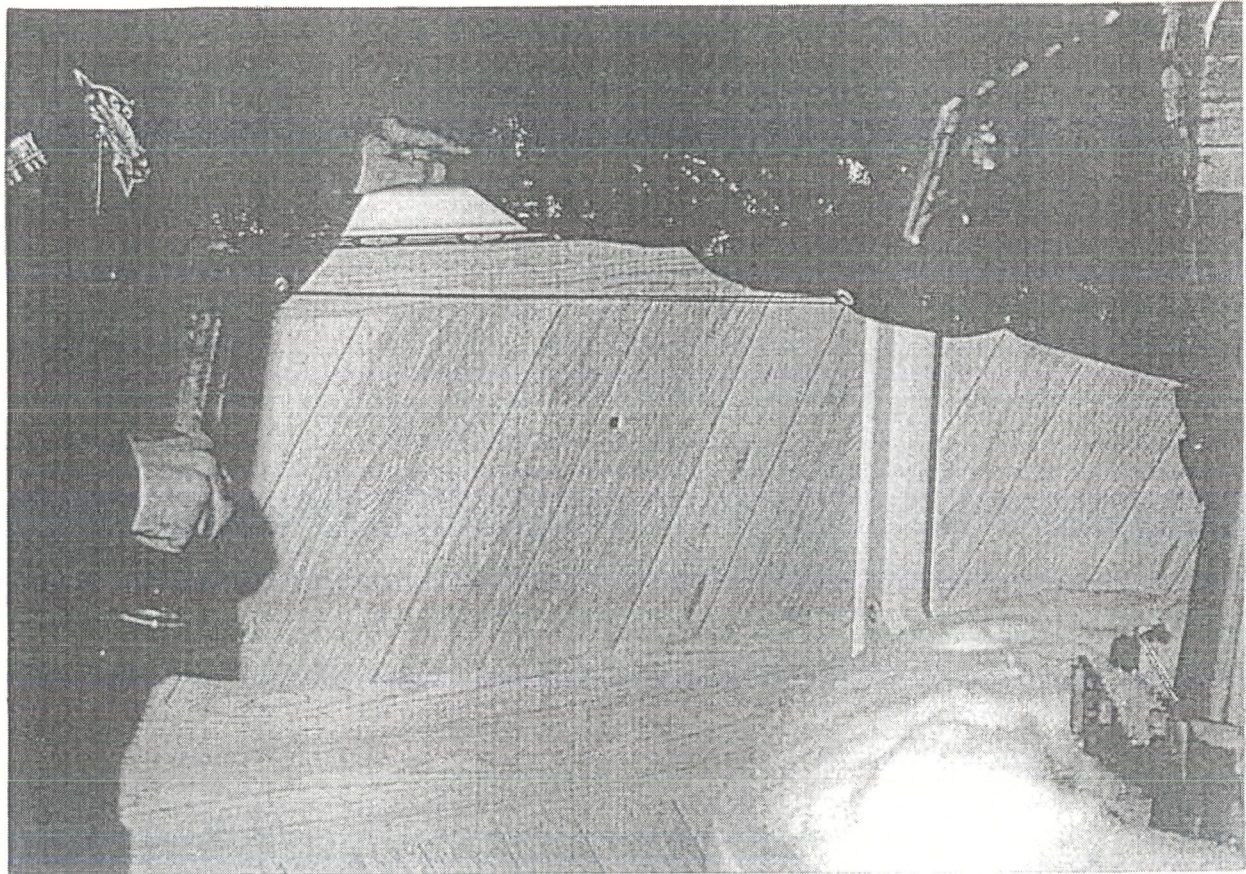


Evidence photographs taken on 03 February 2002.

C. R. 278101
ATTACHMENT # 24M

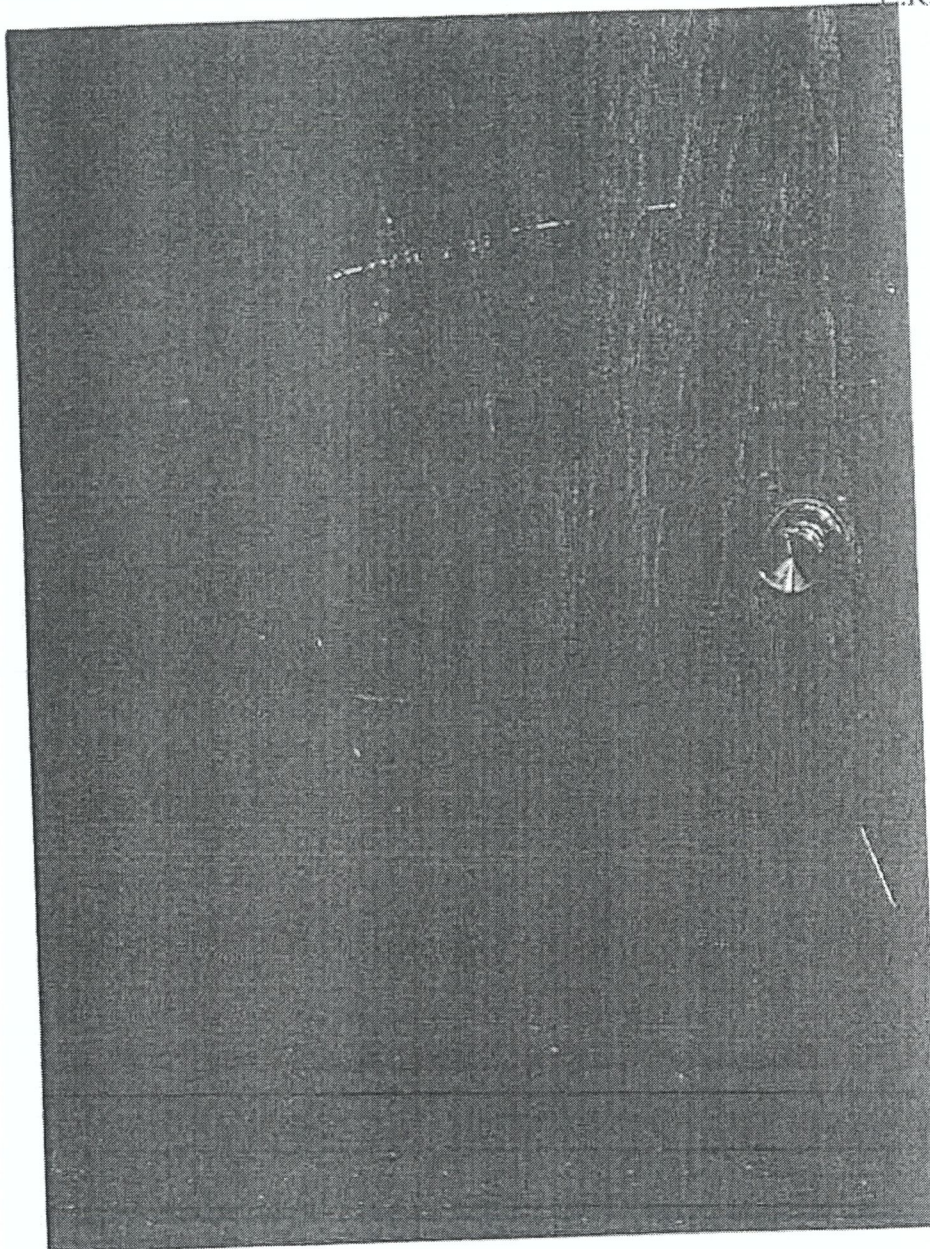


Evidence photographs taken on 03 February 2002.



Evidence photographs taken on 03 February 2002.

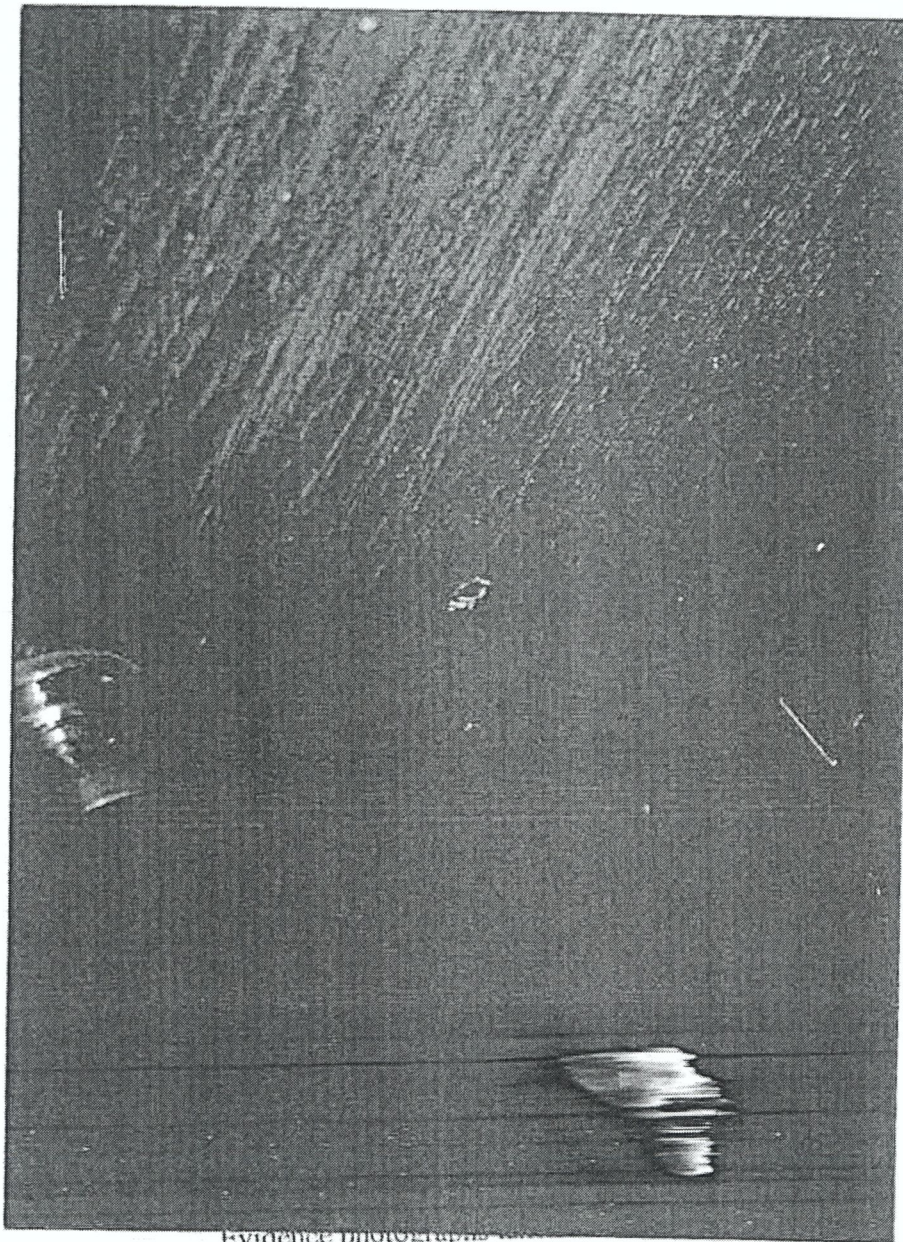
C. R. 278101
EXHIBIT 240



Evidence photographs taken on 03 February 2002.



Evidence photographs taken on 03 February 2002.



Evidence photographs

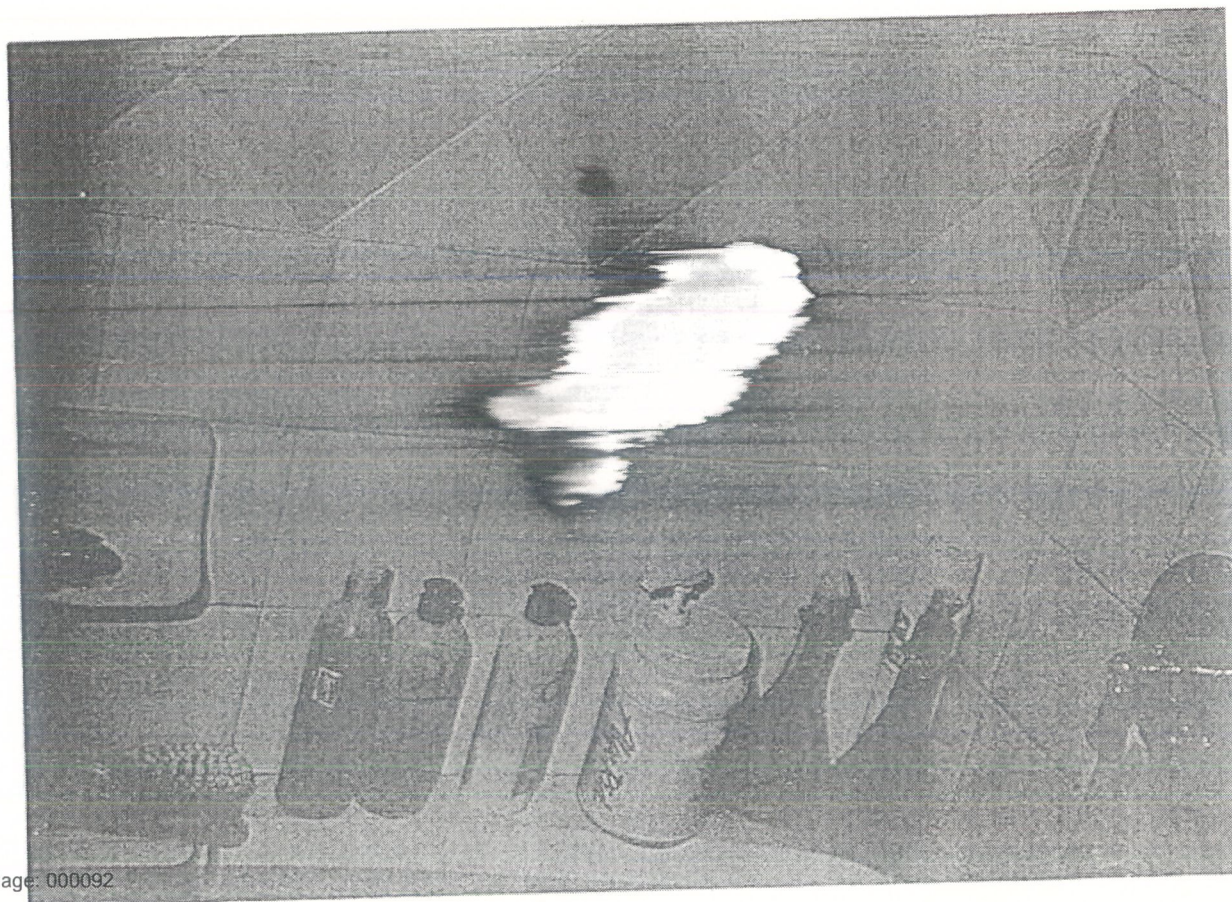
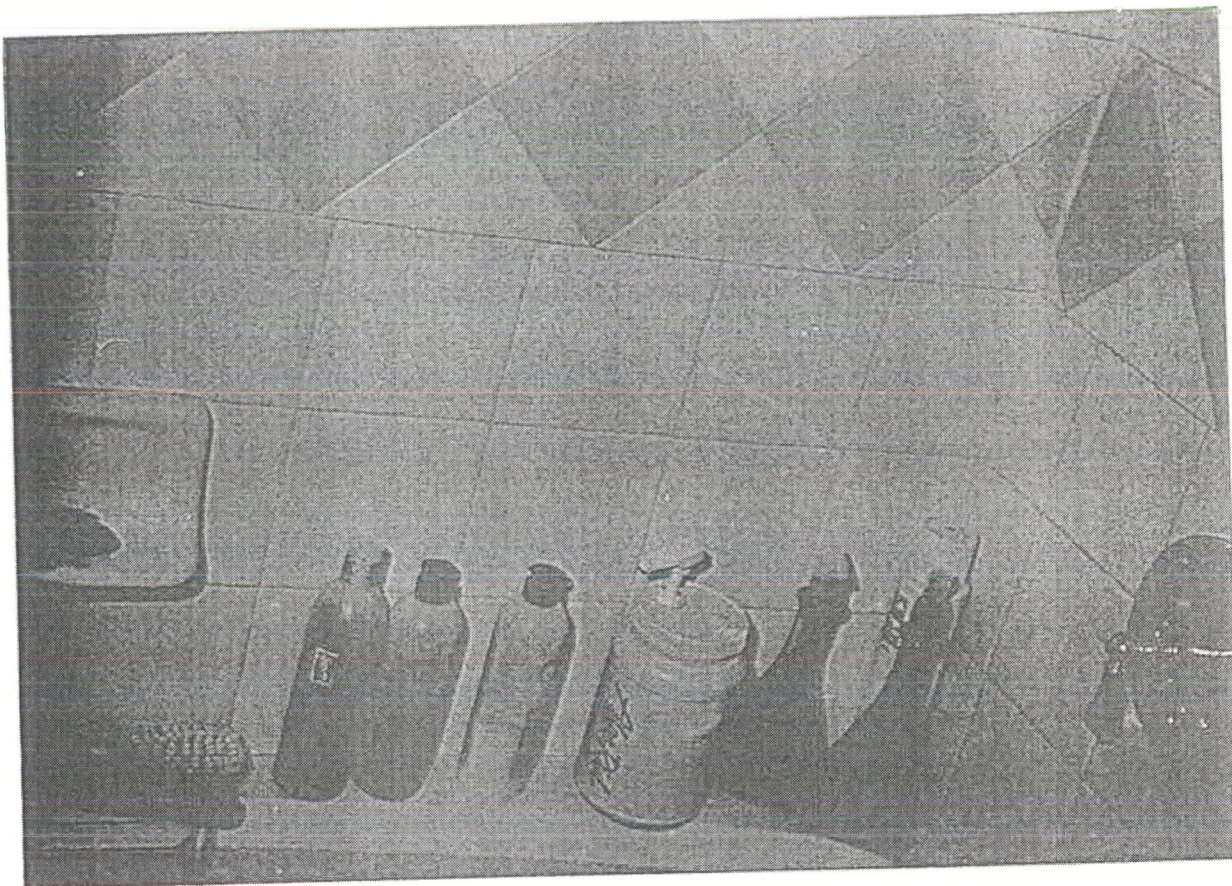
C. R. 278101
ATTACHMENT # 24C

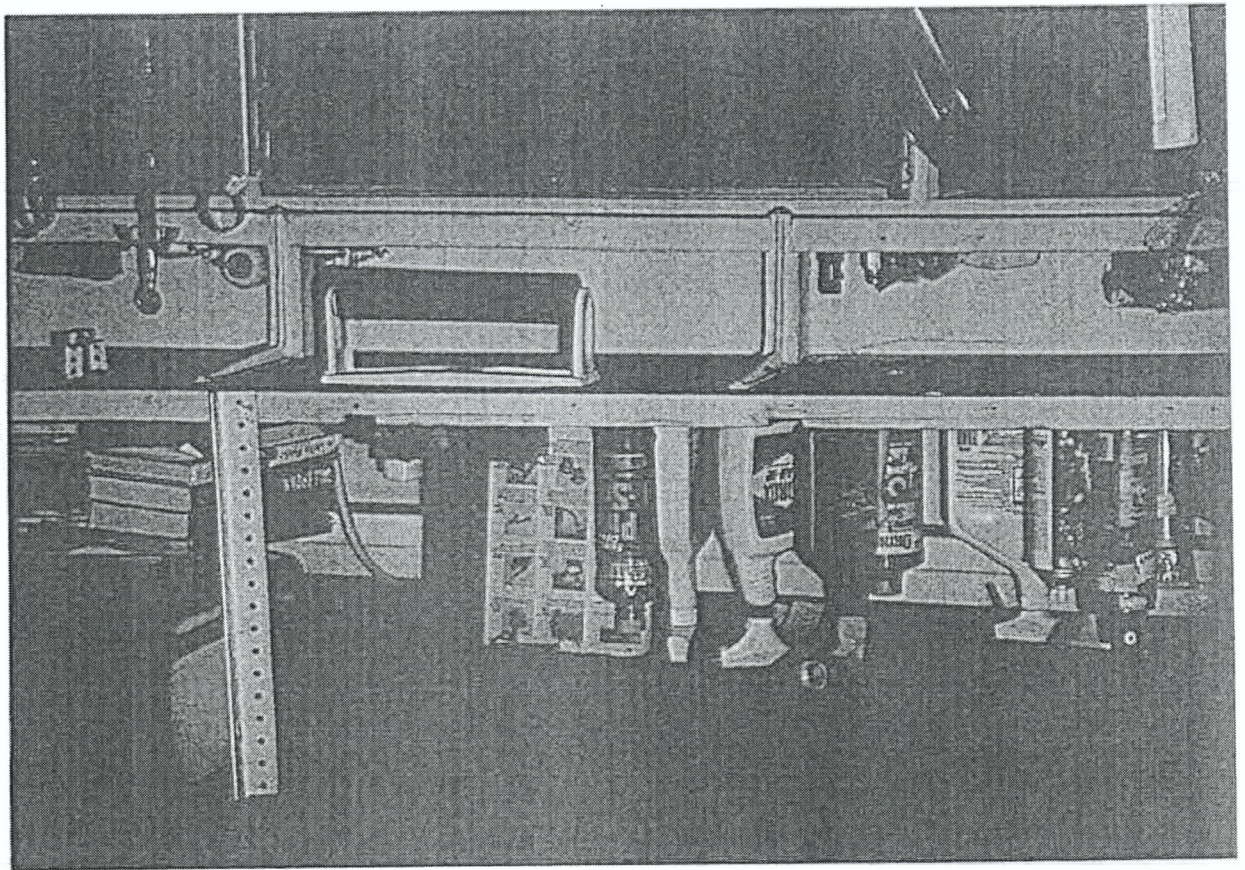
CR./U. Number 278101
DATE PHOTOGRAPHS TAKEN 13 Feb 02
Grzinski
BY E.T. Larcher STAR: 11594
NUMBER OF PHOTOGRAPHS CONTAINED
IN ENVELOPE 16 ATTACHMENT # 245

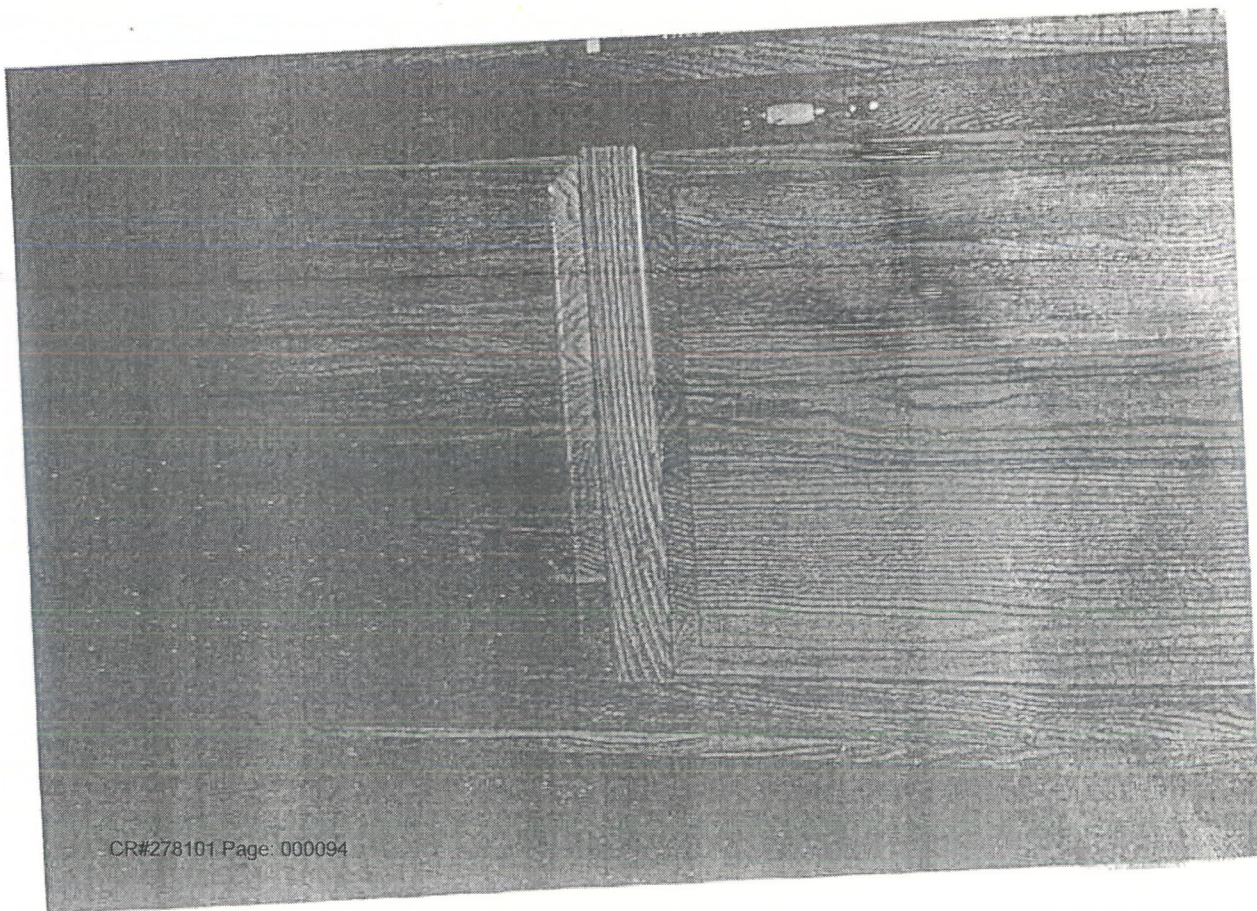
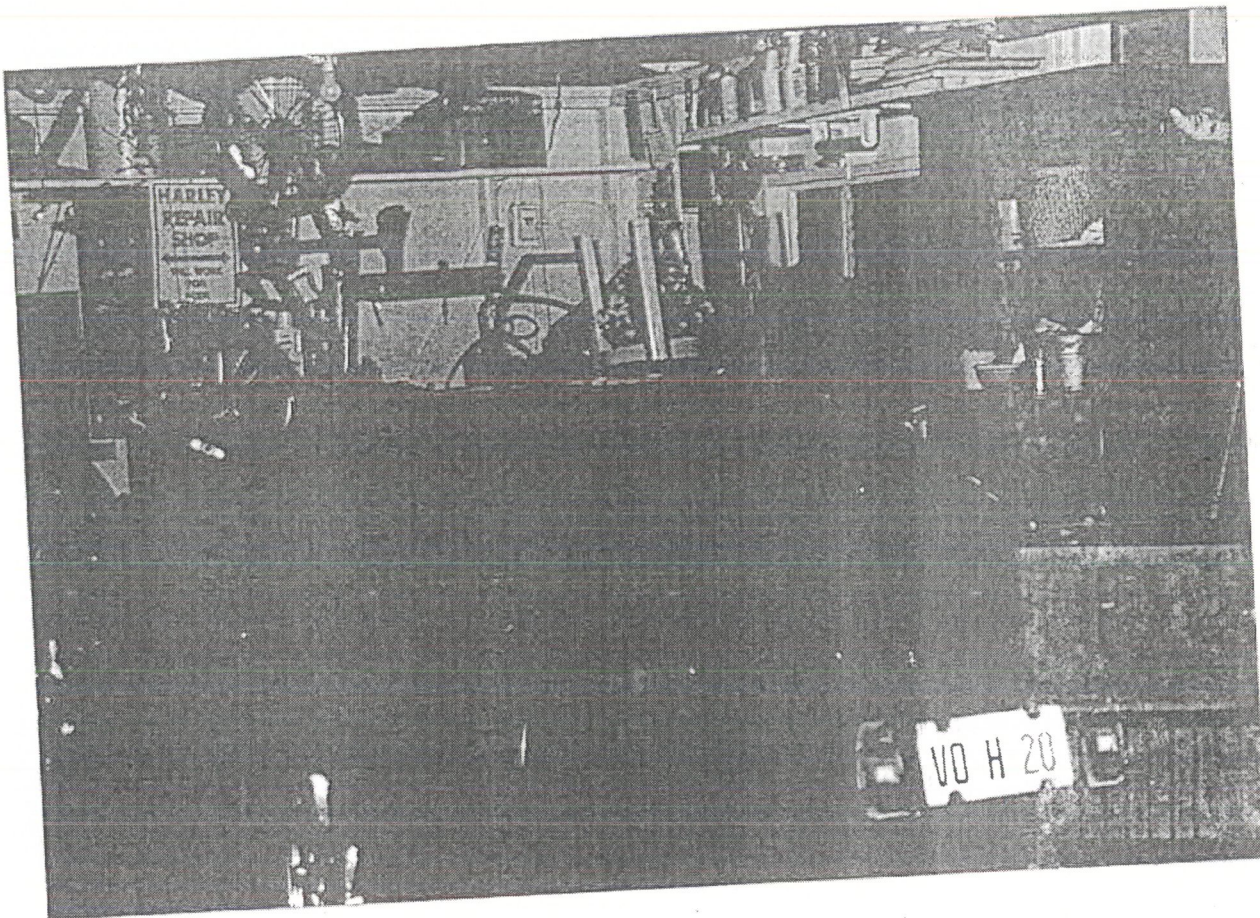
G. B. 278101
ATTACHMENT # 245

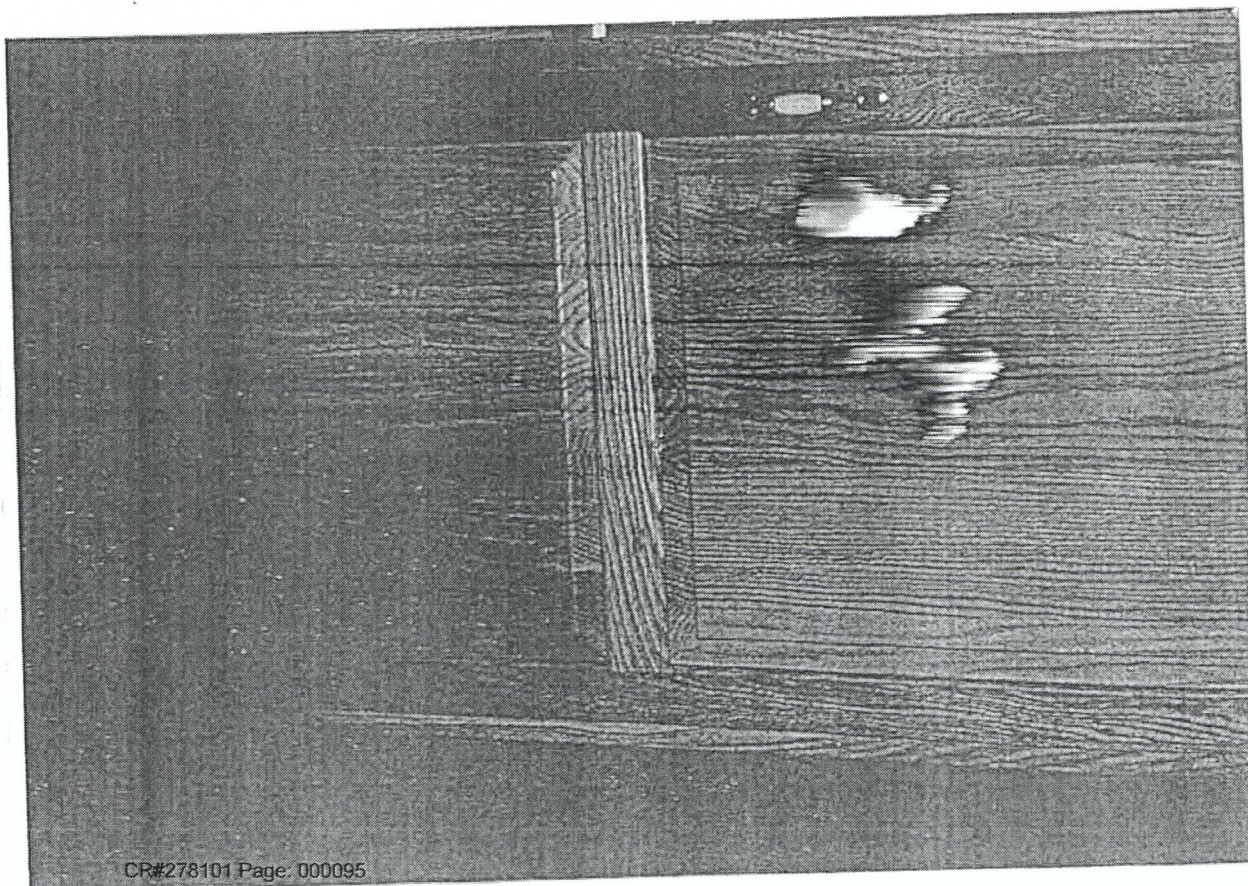
10
HH-165
OFFENSE/INCIDENT
C.D.T.P.
DATE & TIME PHOTOS
3 FEB 02
PHOTOGRAPHER

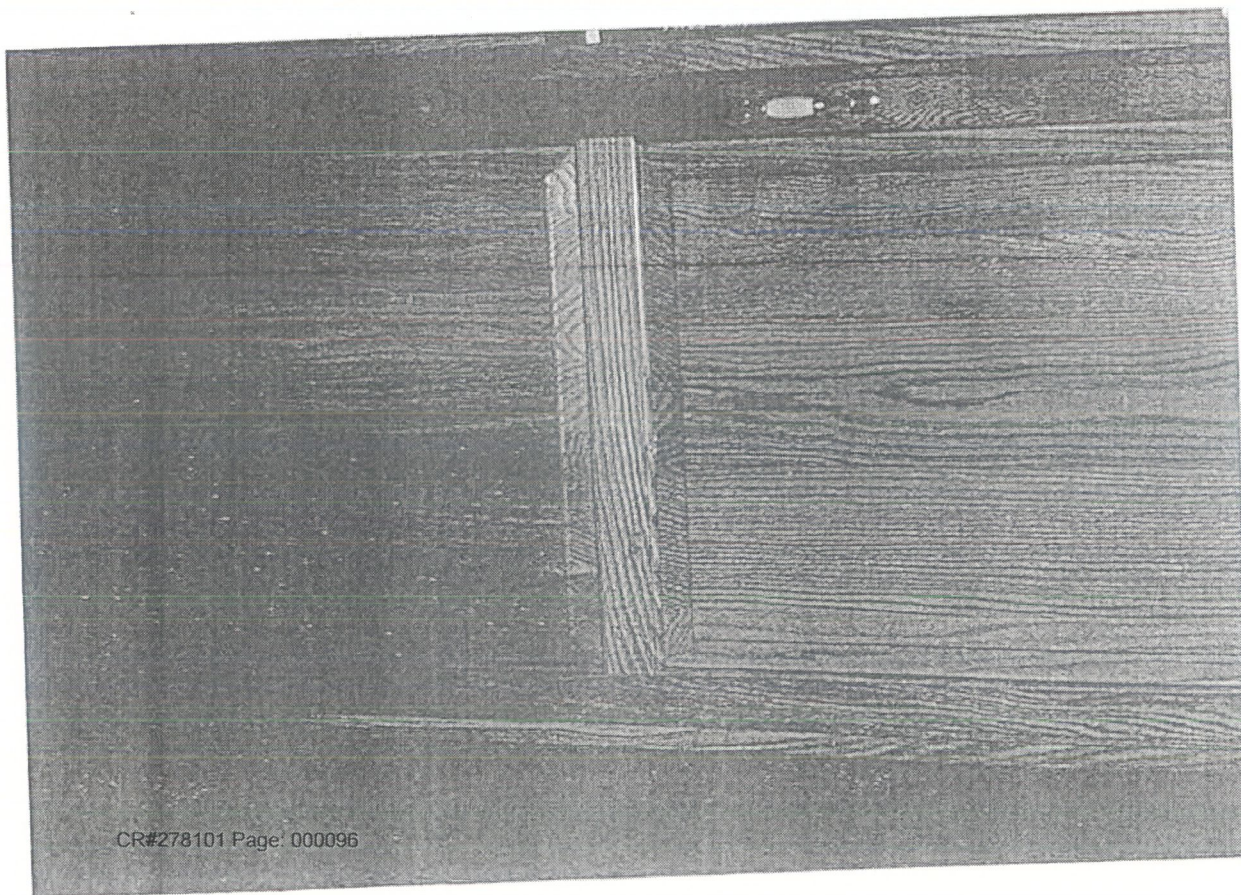
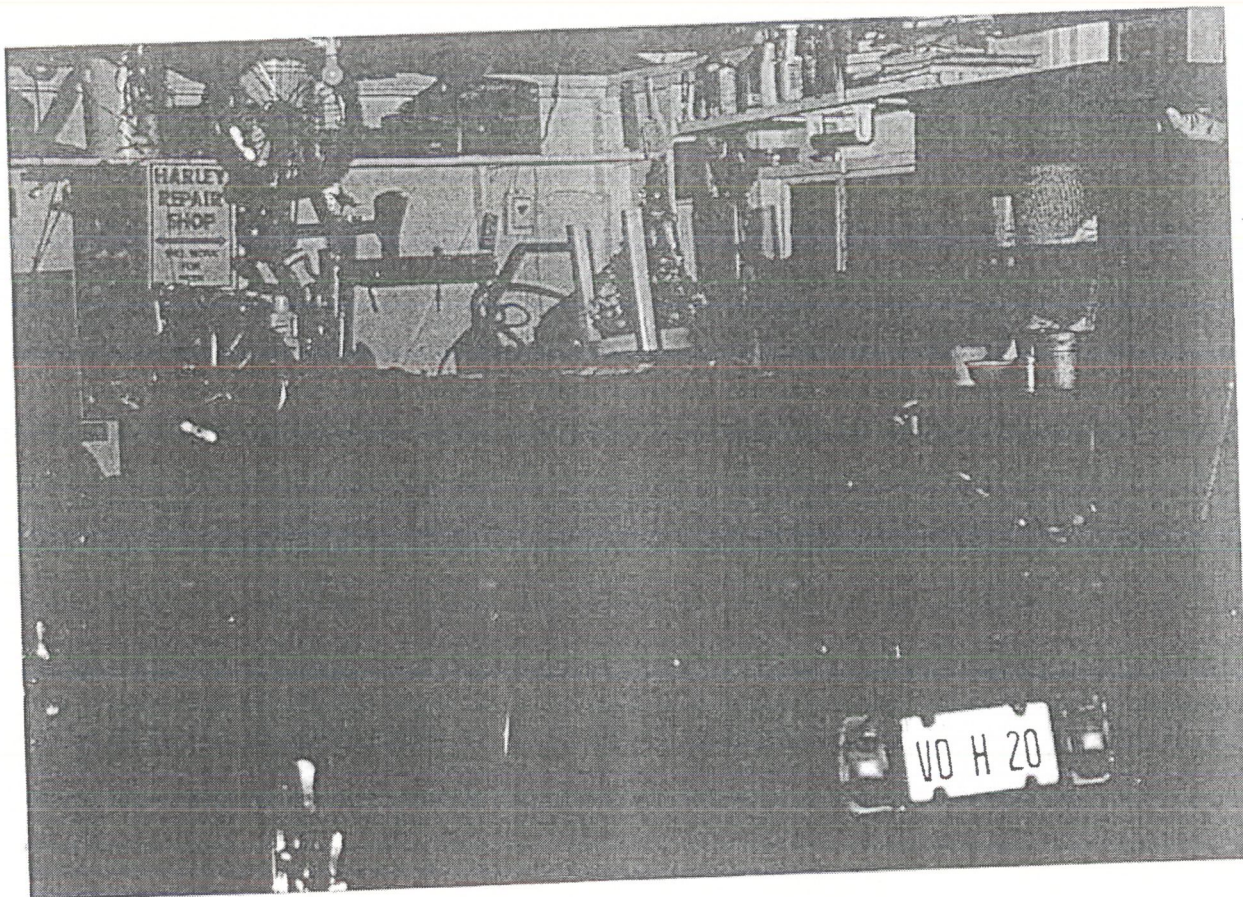
10
HH-165
OFFENSE/INCIDENT
C.D.T.P.
DATE & TIME PHOTOS
3 FEB 02
PHOTOGRAPHER

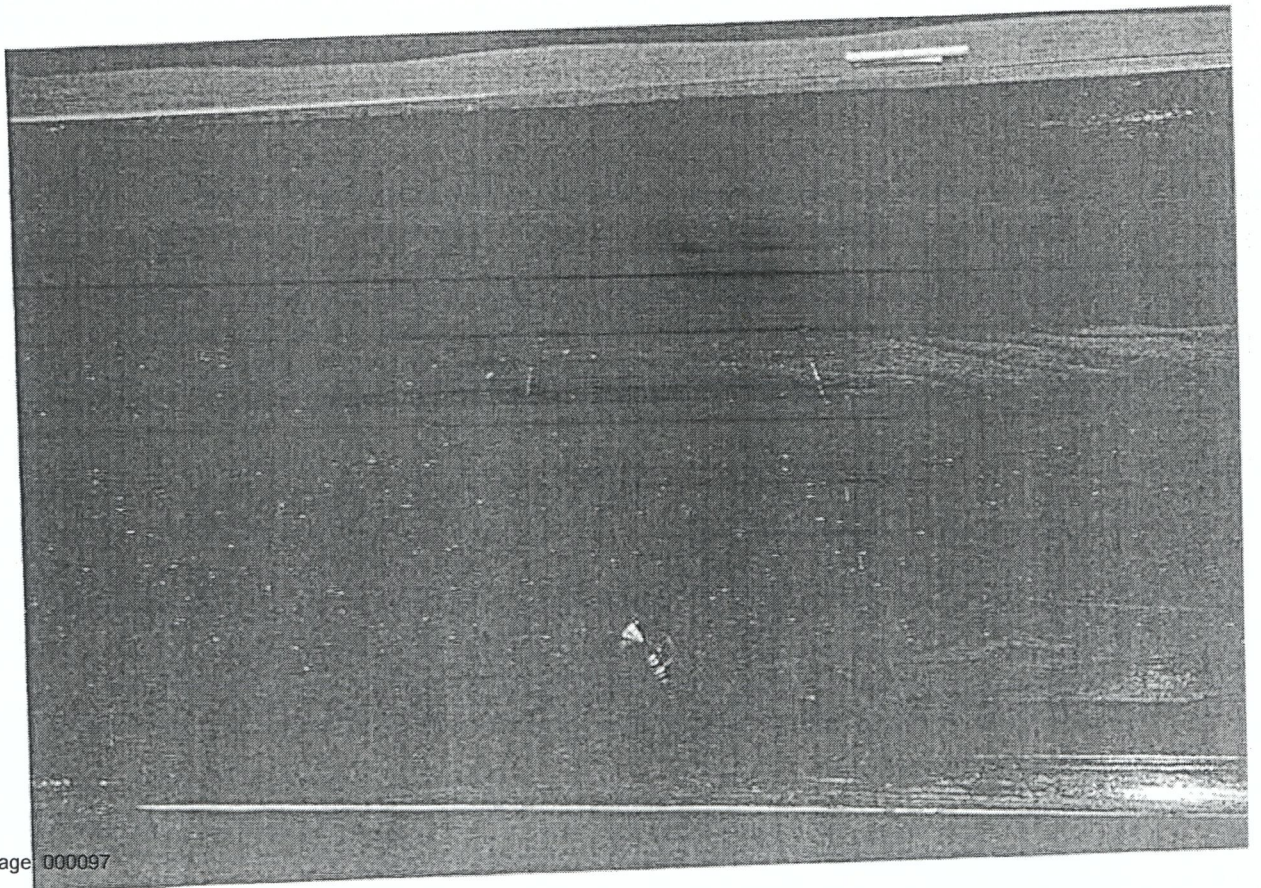














CITY OF CHICAGO
OFFICE OF EMERGENCY COMMUNICATION
PRIVILEGED AND CONFIDENTIAL
RECORDED VOICE TRANSMISSIONS REQUEST

DATE OF REQUEST: 04 Feb 2002

TO: COORDINATOR OF INVESTIGATIONS
COMPLAINT INVESTIGATIONS SECTION

FROM: Cotto
UNIT: CPS-113

INSTRUCTIONS: PROVIDE ALL INFORMATION BELOW. COMPLETE A SEPARATE FORM FOR EACH INCIDENT.

DATE OF INCIDENT: 03 Feb 2002	TIME OF INCIDENT: approx. 0230	DISTRICT OF INCIDENT: 008
LOCATION OF INCIDENT: [REDACTED]	C.R./E.O./SPAR NUMBER: CR. 278101	R.D. NUMBER: HH 1165372
EVENT NUMBER(S): UNK.	TYPE OF INCIDENT: Any activity near or around location of incident regarding shots fired	

ADDITIONAL REMARKS/INFORMATION:

Please send tape and query

REQUESTER'S NAME (PRINTED): Ivette Cotto	REQUESTER'S SIGNATURE: [Signature]	RANK: Inv.	STAR #/EMPLOYEE #: 210
UNIT: 113	TELEPHONE #: 745-3609	PAX #: 0112	UNIT/WATCH COMMANDER'S SIGNATURE: [Signature]

CHECK ONE BOX ONLY:

- ☐ Archive all voice transmissions relative to incident to permanent library.
This request must be received by OEC within 30 days of the incident.
- ☒ Archive all voice transmissions relative to incident to permanent library and request cassette recording.
This request must be received by OEC within 30 days of the incident.
- ☐ Request cassette recording of previously archived voice transmissions.

(For OEC USE ONLY)

TAPE I.D. No.	DATE PREPARED:	BY RESEARCHER:
☐ MAIL DELIVERY	DATE SENT:	VIA:
☐ REQUESTER PICK UP	DATE PICKED UP:	By: 278101

ATTACHMENT # 25

CHICAGO POLICE DEPARTMENT
EVENT QUERY

05-FEB-2002 PAGE 1

Event # 0203407037

Type	Location	Date	Pri	DG	Svc Beat	Disp
STA		03-FEB-2002 12:06:05	4	008		1310
Source	Response Level	Caller			Phone	
R						
Address of Occurrence					Occ Beat	

Event Chronology

Date	Activity	Wkstn	Person	Text
03-FEB-2002 12:06:05	OUTSER	PD15	D304305	Type: STA
03-FEB-2002 12:06:05	DOS	PD15	D304305	850
03-FEB-2002 14:11:10	CLOC	PD15	D541238	850 [008 FOR W/C]
03-FEB-2002 16:31:19	ASST	PD15	D541238	846
03-FEB-2002 16:56:14	CASERD	PD15	D541238	RDG Report Number 846 \$CPDHH165372 D/1310 By: D541238
03-FEB-2002 17:56:54	CLOC	PD15	D307486	850 [6947 S ARCHER]
03-FEB-2002 17:59:04	CLEAR	PD16	D548034	846 850
03-FEB-2002 17:59:04	CLOSE	PD16	D548034	
03-FEB-2002 17:59:12	ROPEN	PD16	D548034	oops
03-FEB-2002 17:59:12	DSP	PD16	D548034	850
03-FEB-2002 17:59:21	CLOC	PD16	D548034	850 [6947 S ARCHER]
03-FEB-2002 18:08:43	CLOC	PD16	D548034	850 [008]
03-FEB-2002 18:08:44	CLOC	PD15	D307486	850 [-008]
03-FEB-2002 21:31:38	AUTPRE	PD16	D548034	850
03-FEB-2002 21:32:30	CLEAR	PD15	D541238	850
03-FEB-2002 21:32:30	CLOSE	PD15	D541238	

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
850	12:06:05	14:11:10	12:06:05				17:59:04
846	16:31:19						17:59:04
850	17:59:12	17:59:21					21:31:38
850	21:31:38						21:32:30

C. R. 278101
ATTACHMENT # 26A

CHICAGO POLICE DEPARTMENT
EVENT QUERY

05-FEB-2002 PAGE 1

Event # 0203401873

Type	Location	Date	Pri	DG	Svc Beat	Disp
DIST		03-FEB-2002 02:46:56	3B	008		19P
Source	Response Level	Caller	Phone			
R	1		Occ Beat			
Address of Occurrence						

Event Chronology

Date	Activity	Wkstn	Person	Text
03-FEB-2002 02:46:56	OUTSER	PD15	D552536	Type: DIST
03-FEB-2002 02:46:56	DOS	PD15	D552536	810
03-FEB-2002 02:47:00	ASST	PD15	D552536	811
03-FEB-2002 02:51:50	ASST	PD15	D552536	890
03-FEB-2002 02:52:16	AUTPRE	PD16	D551151	890
03-FEB-2002 02:52:16	ASST	PD16	D551151	890
03-FEB-2002 03:28:07	AUTPRE	PD15	D557395	811
03-FEB-2002 03:43:24	CLEAR	PD16	D552536	810
03-FEB-2002 06:58:33	SCHOFF	MDTP2547	PC0E848	Unit #890 scheduled for Logoff
03-FEB-2002 08:09:00	CLEAR	PD16	D551151	890 Papercar changed from to 890 D/19P
03-FEB-2002 08:09:00	CLOSE	PD16	D551151	D/19P

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
810	02:46:56		02:46:56				03:43:24
811	02:47:00						03:28:07
890	02:51:50						02:52:16
890	02:52:16						08:09:00

C. R. 278101
ATTACHMENT # 254

CASSETTE TAPE

CR# 278101

ATTACHMENT # 25B

OFFICE OF PROFESSIONAL STANDARDS

13 Feb 2002
CR. 278101

TO: Chief Administrator
Office of Professional Standards

FROM: Inv. Ivette M. Cotto #210

SUBJECT: SUMMARY OF THE OFFICE OF EMERGENCY COMMUNICATIONS TAPE

On 13 Feb 02, the R/I listened to the Office of Emergency Communications tape and the following is in essence but not verbatim part of the communication on that tape.

03 Feb 02 - 0246 hours

Beat 810 informed the dispatcher to hold him and Beat 811 down at [REDACTED]
At 0251 hours, Beat 810 requested to get Beat 890 at that location. Beat 890 was told to meet Beat 810 at [REDACTED]

End of summary.


Inv. Ivette M. Cotto #210

Approved:

O.P.S. Supervisor

C. R. 278101
25C

CHICAGO POLICE DEPARTMENT
UNIT QUERY

04-FEB-02

PAGE

1

Unit # 890 Agency CPD

Log On	Log Off	DG	Beat
03-FEB-2002 01:32:48	03-FEB-2002 08:09:00	008	

UNIT HISTORY LOG

Date	Activity	Event #	Person	Workstation	Text
03-FEB-2002 08:09:00	LOGOFF		D551151	PD16	
03-FEB-2002 08:09:00	CLEAR	0203401873	D551151	PD16	D/19P Unit was reassigned as the paper car.
03-FEB-2002 06:58:33	SCHOFF	0203401873	PC0P848	MDTP2547	Unit #890 scheduled for Logoff
03-FEB-2002 02:52:16	ASST	0203401873	D551151	PD16	
03-FEB-2002 02:52:16	AUTPRE	0203401873	D551151	PD16	
03-FEB-2002 02:51:50	ASST	0203401873	D552536	PD15	
03-FEB-2002 01:32:48	LOGON		PC0P848	MDTP2547	Logon Information: S/00 O/#PC0P848 [Logon from MDT]

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PRC

CHICAGO POLICE DEPARTMENT
UNIT QUERY

04-FEB-02

PAGE

1

Unit # 811 Agency CPD

Log On	Log Off	DG	Beat
02-FEB-2002 23:29:14	03-FEB-2002 07:25:58	008	

UNIT HISTORY LOG

Date	Activity	Event #	Person	Workstation	Text
03-FEB-2002 07:25:58	LOGOFF		D306537	PD15	
03-FEB-2002 07:25:58	CLEAR	0203402255	D306537	PD15	
03-FEB-2002 06:48:15	SCHOFF	0203402255	PC0S369	MDTP2840	Unit #811 scheduled for Logoff
03-FEB-2002 03:28:08	OUTSER	0203402255	D557395	PD15	Type: AC Loc: ST LUKE'S PER 810
03-FEB-2002 03:28:07	AUTPRE	0203401873	D557395	PD15	
03-FEB-2002 02:47:00	ASST	0203401873	D552536	PD15	
03-FEB-2002 02:04:07	CLEAR	0203400914	PC0S369	MDTP2840	D/5B
03-FEB-2002 01:53:33	DSP	0203400914	D551151	PD16	
03-FEB-2002 00:26:49	CLEAR	0203319867	PC0S369	MDTP2840	
02-FEB-2002 23:57:25	CASERD	0203319867	D552536	PD16	RDG Report Number 811 \$CPDHH164199 D/99A
02-FEB-2002 23:48:14	STKCLR	0203319864	D552536	PD16	D/19P
02-FEB-2002 23:43:23	OUTSER	0203319867	D552536	PD16	Type: AA Loc: ARCHER/CICERO
02-FEB-2002 23:43:23	STKDSP	0203319864	D552536	PD16	
02-FEB-2002 23:43:23	AUTPRE	0203319864	D552536	PD16	
02-FEB-2002 23:43:12	OUTSER	0203319864	D557395	PD15	Type: AA Loc: ARCHER/CICERO
02-FEB-2002 23:31:22	LOGON		PC0S369	MDTP2840	Logon Information: S/23 V/8843 O/#PC0S369 [Logon from MDT]
02-FEB-2002 23:29:14	LOGON		D552536	PD15	Logon Information S/23 G/008 O/#10363 #4941 R/811

C. C. 278101
ATTACHMENT # 25D

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CHICAGO POLICE DEPARTMENT
UNIT QUERY

04-FEB-02 PAGE 1

Unit # 810 Agency CPD

Log On	Log Off	DG	Beat
02-FEB-2002 23:25:48	03-FEB-2002 06:24:24	008	

UNIT HISTORY LOG

Date	Activity	Event #	Person	Workstation	Text
03-FEB-2002 06:24:24	LOGOFF		PC0D899	MDTP2584	Mileage = 16511;
03-FEB-2002 05:42:52	CLEAR	0203402807	D557395	PD15	
03-FEB-2002 05:05:05	ASST	0203402807	D557395	PD15	
03-FEB-2002 04:57:30	CLEAR	0203402763	PC0L640	MDTP2560	D/19P
03-FEB-2002 04:41:19	ASST	0203402763	D557395	PD15	
03-FEB-2002 03:43:24	CLEAR	0203401873	D552536	PD16	
03-FEB-2002 02:46:56	OUTSER	0203401873	D552536	PD15	Type: DIST Loc: 5858 RUTHERFORD
02-FEB-2002 23:29:14	LOGON		D552536	PD15	Logon Information S/23 G/008 O/#2464
02-FEB-2002 23:25:48	LOGON		PC0D899	MDTP2584	Logon Information: S/23 V/8664 O/#PC0D899 [Logon from MDT]

OFFICE OF PROFESSIONAL STANDARDS

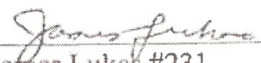
04 Feb 02
CR#278101

TO: CAD Manager James Argiropoulos, Office of Emergency Communications
FROM: Inv. James Lukas #231, OPS
SUBJECT: Request for Printouts of PDT Transmissions

The R/I requests printouts of all PDT transmissions sent/received by the below listed Beat Units, during the specified time, for the investigation of the above-referenced CR number. Please contact the R/I with any questions at Pax 0112 or 0113 or Bell 5-3609. Your assistance is appreciated.

Time frame: 03 Feb 2002, from 0200 hours until the units logged off.

Beats: 810
811
890


Inv. James Lukas #231

Approved: 
Supervisor Michael Suffy #105

C. R. 278101
ATTACHMENT # 26

Feb-04-02 12:56pm From-OPS ADMIN

+3127453589

T-356 P.002/002 F-923

OFFICE OF PROFESSIONAL STANDARDS

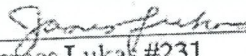
04 Feb 02
CR#278101

TO: CAD Manager James Argiropoulos, Office of Emergency Communications
FROM: Inv. James Lukas #231, OPS
SUBJECT: Request for Printouts of PDT Transmissions

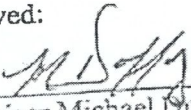
The R/I requests printouts of all PDT transmissions sent/received by the below listed Beat Units, during the specified time, for the investigation of the above-referenced CR number. Please contact the R/I with any questions at Pax 0112 or 0113 or Bell 5-3609. Your assistance is appreciated.

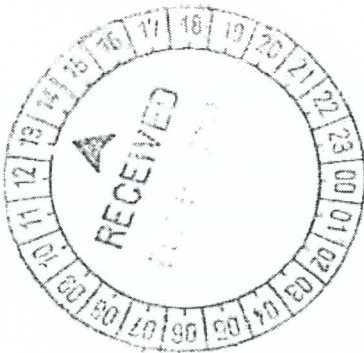
Time frame: 03 Feb 2002, from 0200 hours until the units logged off.

Beats: 810
811
890


Inv. James Lukas #231

Approved:


Supervisor Michael Duffy #105



C. R. 278101
ATTACHMENT 20A

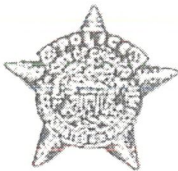
OFFICE OF PROFESSIONAL STANDARDS

10 W. 35th Street 12th / 13th Floors

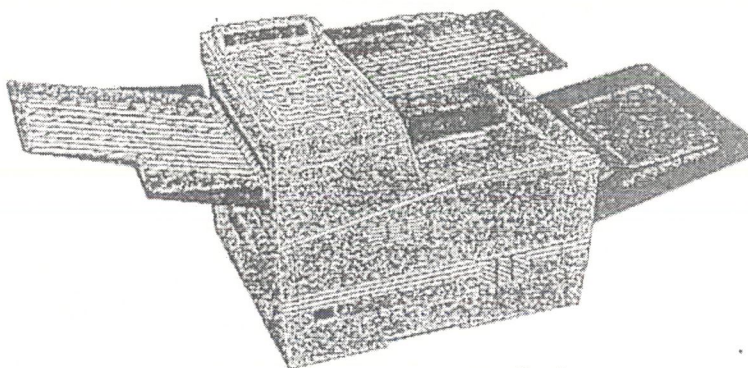
Chicago, Illinois 60616

(312)745-3609

OPS 13th FLOOR FAX: (312) 745-3589



FAX TRANSMITTAL SHEET



TO:

J. ARGIROPOULOS / ^{OEC} ATTN. JANICE WALSH

FROM:

CALL LUKAS

OF PAGES:

2

(INCLUDING THIS PAGE)

COMMENTS:

Thanks for your help. Please obtain these PDTS ASAP. Thank.

IF THERE ARE ANY PROBLEMS WITH THIS TRANSMISSION
PLEASE CALL :

1/2002 RA

C. R. 278101
ATTACHMENT # 26A

OFFICE OF EMERGENCY COMMUNICATIONS

Page: 1

MDTP2840

611

Message Search for

From: 02-FEB-2002 02:00:00

To: 02-FEB-2002 07:00:00

Creation Date	Wks Name	Sent/Received	Message	Persid	Sender/Receiver
02-FEB-2002 03:24:45	MDTP2840	RECEIVED	B CLR HD L=279650 IL PC 0324 02FEB02		HOTDESK
02-FEB-2002 03:24:49	MDTP2840	RECEIVED	CLR FROM LEADS 02FEB02 0324 XCX NO REC LEADS LIC/279650 LIS/ IL FROM SOS 02FEB02 0324 SOS 020202 0324 SOS23 NO RECORD ON FILE-SEARCH KEY 279650 LIC/279650 LIS/IL LIT/PC H CLR HD L=279650 IL RV 0325 02FEB02		HOTDESK
02-FEB-2002 03:24:50	MDTP2840	RECEIVED	CLR FROM LEADS 02FEB02 XCX NO REC LEADS LIC/279650 LIS/ IL FROM SOS 02FEB02 SOS 020202 0325 SOS23 NO RECORD ON FILE-SEARCH KEY 279650LY LIC/279650LY LIS/IL LIT/RV		HOTDESK
02-FEB-2002 03:25:27	MDTP2840	RECEIVED			
02-FEB-2002 03:25:30	MDTP2840	RECEIVED			
02-FEB-2002 03:25:31	MDTP2840	RECEIVED			
02-FEB-2002 03:54:51	MDTP2840	SENT	LOCATION?? DID U STILL WANT TO MEET JUST HAVE YOUR CURFS WHENEVER U WANT THEM WHERE U AT NOW " ARCHER AND OAK PARK WITH 890 B RITE THERE CATCH U LATER 10-4 B CLR HD L=YPH698 IL PC 0420 02FEB02		MDTP2584
02-FEB-2002 04:05:05	MDTP2840	RECEIVED			MDTP2584
02-FEB-2002 04:05:32	MDTP2840	SENT			MDTP2584
02-FEB-2002 04:06:53	MDTP2840	RECEIVED			MDTP2584
02-FEB-2002 04:07:22	MDTP2840	SENT			MDTP2584
02-FEB-2002 04:07:51	MDTP2840	RECEIVED			MDTP2584
02-FEB-2002 04:08:38	MDTP2840	RECEIVED			MDTP2584
02-FEB-2002 04:09:00	MDTP2840	SENT			MDTP2584
02-FEB-2002 04:20:56	MDTP2840	RECEIVED			HOTDESK
02-FEB-2002 04:20:57	MDTP2840	RECEIVED			HOTDESK

C. E. 278101
ATTACHMENT # 26A

OFFICE OF EMERGENCY COMMUNICATIONS

Page: 2

Message Search for

MDTP2840

811

From: 02-FEB-2002 02:00:00

To: 02-FEB-2002 07:00:00

Creation Date	Wks Name	Sent/Received	Message	Persid	Sender/Receiver
02-FEB-2002 04:21:00	MDTP2840	RECEIVED	LIS/ IL CLR FROM LEADS 02FEB02 XCX NO REC LEADS VIN/ 2FABP74F0XX220289		HOTDESK
02-FEB-2002 04:21:00	MDTP2840	RECEIVED	CLR FROM NCIC 02FEB02 1L01 NCIC RESPONSE ILCPD00L3 NO RECORD VIN/2FABP74F0XX220289		HOTDESK
02-FEB-2002 04:21:00	MDTP2840	RECEIVED	FROM SOS 02FEB02 SOS 020202 0420 STA/VALID VAL/ 062101 YPH698 0702 ORIG BRT LTC STX/2G0444571		HOTDESK
02-FEB-2002 04:22:46	MDTP2840	SENT	CHICAGO 60632 2FABP74F0XX220289 89 FORD 4 DOOR STATUS UNAVAILABLE REF PLT/ YPH698 EXP/0701		MDTP2530
02-FEB-2002 04:57:49	MDTP2840	RECEIVED	1 RUN THIS PLATE YPH698 THIS IS SUPPOSED TO BE VEHICLE USED FOR BORG LARY TO AUTOS		HOTDESK
02-FEB-2002 04:57:51	MDTP2840	RECEIVED	B CLR HD L=D729048 IL PC 0457 02FEB02		HOTDESK
02-FEB-2002 04:57:52	MDTP2840	RECEIVED	CLR FROM LEADS 02FEB02 0457 XCX NO REC LEADS LTC/D729048 LIS/IL		HOTDESK
02-FEB-2002 04:57:52	MDTP2840	RECEIVED	CLR FROM LEADS 02FEB02 0457 XCX NO REC LEADS VIN/ 1G6CD6980G4277833		HOTDESK
02-FEB-2002 04:57:52	MDTP2840	RECEIVED	FROM SOS 02FEB02 0457 SOS 020202 0457 STA/VALID VAL/ 081701 TTL/T1064623593 D729048 0902 ORIG PLT LTC STX/2J0342626		HOTDESK
			CHICAGO 60608		

C. B. 278101
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Message Search for MDTP2840

811

From: 02-FEB-2002 02:00:00 To: 02-FEB-2002 07:00:00

Creation Date	Wks Name	Sent/Received	Message	Persid	Sender/Receiver
02-FEB-2002 06:54:31	MDTP2840	SENT	HI		MDTP2928
02-FEB-2002 06:54:42	MDTP2840	RECEIVED	HELLO		MDTP2928
02-FEB-2002 06:54:51	MDTP2840	SENT	NO MORE SNOW TOWS FOR U?		MDTP2542
02-FEB-2002 06:55:59	MDTP2840	RECEIVED	: M/MDTP2840 811		LEADS
			HGX NO REC LEADS		
			LIC/CXBRTN LIS/IL		
02-FEB-2002 06:56:01	MDTP2840	RECEIVED	F M/MDTP2840 811		LEADS
			SOS 020202 0655 SOS23		
			NO RECORD ON FILE-SEARCH KEY		
			CXBRTN LIC/CXBRTN.LIT/PC.		
02-FEB-2002 06:56:50	MDTP2840	RECEIVED	< M/MDTP2840 811		LEADS
			HGX NO REC LEADS		
			LIC/MANHOLE1 LIS/IL		
02-FEB-2002 06:56:51	MDTP2840	RECEIVED	X M/MDTP2840 811		L S
			SOS 020202 0656 SOS48		
			LIC/MANHOLE1 INVALID		
			LIC/MANHOLE1.LIT/PC.		

278101
26A

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Message Search for

MDTP2547

02-FEB-2002 07:00:00

From:

02-FEB-2002 02:00:00

To:

persid

Sender/Receiver

Creation Date

Wks Name

Sent/Received

Message

CLR HD

HOTDESK

02-FEB-2002 02:18:06

MDTP2547

RECEIVED

B
L=1241494 IL PC 0218
02FEB02

HOTDESK

02-FEB-2002 02:18:07

MDTP2547

RECEIVED

CLR FROM LEADS 02FEB02
XCX NO REC LEADS LIC/1241494

HOTDESK

02-FEB-2002 02:18:09

MDTP2547

RECEIVED

CLR FROM LEADS 02FEB02
XCX NO REC LEADS VIN/
2B6HB1X81K53790

HOTDESK

02-FEB-2002 02:18:10

MDTP2547

RECEIVED

CLR FROM NCIC 02FEB02
1L01 NCIC RESPONSE ILCPD00L3
NO RECORD

HOTDESK

02-FEB-2002 02:18:10

MDTP2547

RECEIVED

VIN/2B6HB1X81K53790
FROM SOS 02FEB02
SOS 020202 0217 STA/VALID
VAL/ 103101 TTL/T1330608076
1241494 1002 ORIG PLT

CHICAGO 80638

2B6HB1X81K53790 01 DODGE VAN

STATUS UNAVAILABLE

MEET ME WHEN YOUR CLEAR

* PICK A SPOT

I'M AT ARCHER AND PULASKI

I'LL HEAD THAT WAY

(MID AMERICA

BANK LOT ARCHER KE ELER

ON A BUSY

NIGHT DO WE NEED TO HOLD DOWN

821 ON SNOW TOWNS?

P ON A BUSY

NIGHT DO WE NEED TO HOLD DOWN

821 ON SNOW TOWNS? ARE THEY

AVAILABLE BECAUSE MOST OF 20

SECTOR IS DOWN

IT'S BEEN A

STANDING DETAIL FOR 821 AND

MDTP2584

MDTP2584

MDTP2584

MDTP2584

MDTP2931

MDTP2931

MDTP2931

278101
26A
ATTACHMENT

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Message Search for

MDTP2584

810

From: 02-FEB-2002 02:00:00

To: 02-FEB-2002 07:00:00

Creation Date	Wks Name	Sent/Received	Message	Persid	Sender/Receiver
02-FEB-2002 02:24:59	MDTP2584	RECEIVED	MEET ME WHEN YOUR CLEAR		MDTP2547
02-FEB-2002 02:25:54	MDTP2584	SENT	* PICK A SPOT		MDTP2547
			I'M AT ARCHER AND PULASKI		MDTP2547
			I'LL HEAD THAT WAY		MDTP2584
02-FEB-2002 02:27:00	MDTP2584	RECEIVED	& PICK A SPOT		MDTP2584
02-FEB-2002 02:27:03	MDTP2584	RECEIVED	I'M AT ARCHER KEEL ER		MDTP2584
02-FEB-2002 02:27:03	MDTP2584	SENT	& PICK A SPOT		MDTP2547
02-FEB-2002 02:29:11	MDTP2584	SENT	I'M AT ARCHER KEEL ER		MDTP2547
			MID AMERICA		HOTDESK
02-FEB-2002 02:31:32	MDTP2584	RECEIVED	BANK LOT ARCHER KE ELER		
			CLR HD		
			02FEB02 0231 MATUSAK		
			, SIMONE , F.W,		
02-FEB-2002 02:31:33	MDTP2584	RECEIVED	07AUG63, - , ' ,		LEADS
			J M/MDTP2584 810		
			HGX NO REC LEADS		
			NAM [REDACTED] SEX/F		
			DOB [REDACTED] 63		
02-FEB-2002 02:31:33	MDTP2584	RECEIVED	M/MDTP2584 810		LEADS
			f 1L01 NCIC RESPONSE		
			ILCPD00H1 NO NCIC WANT		
			NAM [REDACTED]		
			DOB/1963 [REDACTED] SEX/F		
02-FEB-2002 02:31:35	MDTP2584	RECEIVED	CLR FROM LEADS 02FEB02		HOTDESK
			XGX NO REC LEADS NAM [REDACTED]		
			SEX/F DOB/ [REDACTED] 63		
02-FEB-2002 02:31:35	MDTP2584	RECEIVED	FROM SOS 02FEB02		HOTDESK
			SOS 020202 0231 SOS23 NO		
			RECORD ON FILE-SEARCH KEY		
			M32278063824 NAM [REDACTED]		
			SEX/F DOB [REDACTED] 63 RAC/W		
02-FEB-2002 02:31:36	MDTP2584	RECEIVED	CLR FROM NCIC 02FEB02		HOTDESK
			1L01 NCIC RESPONSE ILCPD00L3		
			NO NCIC WANT NAM [REDACTED]		
			DOB/1963 [REDACTED] SEX/F		
02-FEB-2002 02:32:22	MDTP2584	RECEIVED	3 TRAFFIC WAR		HOTDESK

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Message Search for

MDTP2584

810

From: 02-FEB-2002 02:00:00

To: 02-FEB-2002 07:00:00

Creation Date Wks Name Sent/Received

Message

Persid

Sender/Receiver

HD 02FEB02 0232 NAM=MARCH

, WILLIAM, H OFF=BE6303

REF=TB000973

ADD=000000,*,19804

IL S+R=M,U DOB= 57 H+W 6-

00,155 NPY=PAX

IRN=

DLN=M62092857198,IL

1 OF 2>

M/MDTP2584 810

LEADS

02-FEB-2002 02:32:23 MDTP2584 RECEIVED

ZHCX LDS/W00E5683 WANTED

OFF/2699 FRAUD DOW/030300

NAM. SEX/M RAC/W

DOB/ 57 AGE/44 HGT/600

WGT/180 HAI/BLK EYE/XXX

SKN/LGT FBI/432264N2

SID/1904569

PPC/2416POBO1422PICPI11

SOC. MNU/OA-IR0410638

MIS/HOME REPAIR FRAUD OTX 312

747 5507 DOC 96 276533 MIS

OCA/CE003824 ORA/PD CHGO,IL

ENT/KCX OPR/AG TWE/1347

DTE/030400 DTV/060401 VID/G3

CONFIRM WITH ORA

H CRIMINAL WAR

HOTDESK

02-FEB-2002 02:32:23 MDTP2584 RECEIVED

HD 02FEB02 0232 NAM=

OFF=BFRAUD

REF=CE003824

ADD= CHICAG

IL S+R=M,W DOB= 57 H+W 6-

00,180 NPY=PAX

IRN=0410638 DLN=

CHG=FRAUD

2 OF 2

e M/MDTP2584 810

LEADS

02-FEB-2002 02:32:24 MDTP2584 RECEIVED

1L01 NCIC RESPONSE

ILCPD00H1 NO NCIC WANT

C. R. 278101
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Message Search for

MDTP2584

810

From: 02-FEB-2002 02:00:00

To: 02-FEB-2002 07:00:00

Creation Date Wks Name Sent/Received

Message

Persid

Sender/Receiver

02-FEB-2002 02:32:42 MDTP2584 RECEIVED

NAM/DOB/1957
SEX/M

HOTDESK

HIT FROM LEADS 02FEB02
0232 ZXCX IDS/W00E5683 WANTED
OFF/ 2699 FRAUD DOW/030300
NAM/DOB/1957 SEX/M RAC/W
DOB/1957 AGE/44 HGT/600
WGT/180 HAIR/BLK EYE/XXX
SKN/LGT FBI/432264N2
SID/1904569 FPC/
2416POPO1422PTCIP111 SOC/

02-FEB-2002 02:32:43 MDTP2584 RECEIVED

342522706 NMU/0A-IR0410638

HOTDESK

MIS/ HOME REPAIR FRAUD OTX 312
747 5507 DOC 96 276533 MIS
OCA/ CE003824 ORA/PD CHGO
IL ENT/KCX OPR/AG TME/1347
DTE/030400 DTV/ 060401 VID/G3
CONFIRM WITH ORA

HOTDESK

02-FEB-2002 02:32:43 MDTP2584 RECEIVED

CLR FROM NCIC 02FEB02
0232 1101 NCIC RESPONSE
ILCPD0013 NO NCIC WANT
NAM/DOB/1957 SEX/M

HOTDESK

02-FEB-2002 02:32:44 MDTP2584 RECEIVED

FROM SOS 02FEB02
0232 SOS 020202 0232 SOG23 NO
RECORD ON FILE-SEARCH

KEY M62092057198

NAM/DOB/1957 SEX/M

DOB/1957 RAC/W

2 INVALID DATA

SEE NEXT LINE(S)

I/1G3GM47Y.P3873G

B CLR HD V=750

0257

02FEB02

CLR FROM LEADS 02FEB02

HOTDESK

02-FEB-2002 02:57:26 MDTP2584 RECEIVED

02-FEB-2002 02:57:25 MDTP2584 RECEIVED

02-FEB-2002 02:57:29 MDTP2584 RECEIVED

C. R. 278101
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Message Search for

MDTP2584

810

From: 02-FEB-2002 02:00:00

To: 02-FEB-2002 07:00:00

Creation Date Wks Name Sent/Received

Message

Persid

Sender/Receiver

02-FEB-2002 02:57:30 MDTP2584 RECEIVED

XCX NO REC LEADS VIN/750
HIT FROM NCIC 02FEB02
1101 NCIC RESPONSE ILCPD00L3

HOTDESK

02-FEB-2002 02:57:31 MDTP2584 RECEIVED

YOUR TRANSACTION IS A
POSSIBLE MATCH WITH AN INDEX
RECORD FOR A STOLEN VEHICLE
IN CANADA WITH THE FOLLOWING
IDENTIFIERS ORI/ MB3003800
LIC/15507J LIS/ON VIN/ 750
ADDITIONAL INFORMATION MAY>
ON3057000 VIN/750 ADDITIONAL
INFORMATION MAY BE OBTAINED
VIA NLETS USING A VQ OR XQ
TRANSACTION

HOTDESK

02-FEB-2002 02:57:31 MDTP2584 RECEIVED

INTERNATIONAL USERS CONTACT
INTERPOL OTTAWA
BE OBTAINED VIA NLETS USING A
VQ OR XQ TRANSACTION
INTERNATIONAL USERS CONTACT
INTERPOL OTTAWA YOUR
TRANSACTION IS A

HOTDESK

02-FEB-2002 02:57:31 MDTP2584 RECEIVED

POSSIBLE MATCH WITH AN INDEX
RECORD FOR A STOLEN
VEHICLE IN CANADA WITH THE
FOLLOWING IDENTIFIERS ORI/>
FROM SOS 02FEB02
SOS 020202 0257 SOS41 DUP
VINS-INQUIRE ON EACH LIC
750 01 294601TA BUILT RITE 00
294601TA BUILT RITE 01
7234AS-TA HOMEWADE
TRLR 00 7234AS-TA
HOMEWADE TRLR 00 41300TC
BONANZA 99 41300TC BONANZA

HOTDESK

02-FEB-2002 02:57:32 MDTP2584 RECEIVED

02 >
126BL-TA GATOR TRLR 01
126BL-TA GATOR TRLR 02 4510TA

HOTDESK

C. E. 278101
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Message Search for

MDTP2584

810

From: 02-FEB-2002 02:00:00

To: 02-FEB-2002 07:00:00

Creation Date Wks Name Sent/Received

Message

Persid

Sender/Receiver

02-FEB-2002 02:57:32 MDTP2584 RECEIVED

DAVID BRADLEY 01 4510TA
DAVID BRADLEY MORE SOS DATA
TO FOLLOW
FROM SOS 02FEB02
SOS 020202 0257 SOS41 DUP
VINS-INQUIRE ON EACH LIC

HOTDESK

02-FEB-2002 02:57:55 MDTP2584 RECEIVED

750 00 321662RT ROLLS INTL 99
321662RT ROLLS INTL 00
7344DA-TA *SNO-BIRD
01 339474RT ROLLS INTL 00
339474RT ROLLS INTL
B CLR HD
V=1G3GM47Y3GP387750 0257
02FEB02

HOTDESK

02-FEB-2002 02:57:57 MDTP2584 RECEIVED

CLR FROM LEADS 02FEB02
0257 KCX NO REC LEADS VIN/
1G3GM47Y3GP387750

HOTDESK

02-FEB-2002 02:57:57 MDTP2584 RECEIVED

CLR FROM NCIC 02FEB02
0257 1L01 NCIC RESPONSE
ILCPD0013 NO RECORD
VIN/1G3GM47Y3GP387750

HOTDESK

02-FEB-2002 02:58:02 MDTP2584 RECEIVED

FROM SOS 02FEB02
0257 SOS 020202 0257
STA/VALID VAL/ 050301
TTL/E4163825 IJ548 0402 ORIG
PLT FATLA-CODUTO LISA M-

HOTDESK

MUT OWNER

60564 F340-5336-3692
1G3GM47Y3GP387750 86

02-FEB-2002 02:58:02 MDTP2584 RECEIVED

OLDSMOBILE COUPE STATUS
UNAVAILABLE REF PLT/IJ548
EXP/ 0401

HOTDESK

02-FEB-2002 03:23:09 MDTP2584 RECEIVED

B CLR HD
I=C216654 IL PC 0323
02FEB02

HOTDESK

C. R. 278101
ATTACHMENT # 26A

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Message Search for

MDTP2584

810

From: 02-FEB-2002 02:00:00

To: 02-FEB-2002 07:00:00

Creation Date Wks Name Sent/Received
02-FEB-2002 03:23:11 MDTP2584 RECEIVED

Message Persid

Sender/Receiver
HOTDESK

02-FEB-2002 03:23:12 MDTP2584 RECEIVED

CLR FROM LEADS 02FEB02
0323 XCX NO REC LEADS
LIC/C216654 LIS/IL
FROM SOS 02FEB02
0323 SOS 020202 0322 DL/IP
STA/ VALID TDL/TIP
STA/SEE ILOINHELP CDL/CIP
STA/SEE ILOINHELP
SCHIBUS STA/NOT A SCHOOL BUS
DRIVER SEE ILOINHELP

HOTDESK

02-FEB-2002 03:23:12 MDTP2584 RECEIVED

CHICAGO 60656 SEX/M
DOB/111854 HGT/5 >
FROM SOS 02FEB02
0323 SOS 020202 0322
STA/VALID VAL/ 083001
TTL/T7217221025 C216654 0702
ORIG PLT LIC STX/260307696
CHICAGO 60634 M200-7205-4328
1FAP14J7NW107706 92 FORD

HOTDESK

02-FEB-2002 03:23:12 MDTP2584 RECEIVED
02-FEB-2002 03:23:13 MDTP2584 RECEIVED

4D HTCHBX STATUS
UNAVAILABLE REF >
PLT/C216654 EXP/0701
07" WGT/170 HAI/BRO EYE/BLU
OLN/M200-7205-4328 OLC/D*
OLT/ ORIG EXP/11182003
ISS/11231999 RES-PID
CLASS/NONE NO STOPS IN
EFFECT NO CONV LAST 12 MO

HOTDESK
HOTDESK

02-FEB-2002 03:23:13 MDTP2584 RECEIVED

DIGITAL ISSUE END
CLR FROM LEADS 02FEB02
0323 XCX NO REC LEADS NAM
SEX/M DOB/111854 DLN/
M20072054328 VIN/
1FAP14J7NW107706

HOTDESK

02-FEB-2002 03:54:04 MDTP2584 SENT

COME BACK

MDTP2928

C. R. 278101
ATTACHMENT # 26A

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Message Search for

MDTP2584

810

From: 02-FEB-2002 02:00:00

To: 02-FEB-2002 07:00:00

Creation Date	Wks Name	Sent/Received
02-FEB-2002 03:54:33	MDTP2584	SENT
02-FEB-2002 03:54:51	MDTP2584	RECEIVED
02-FEB-2002 03:57:46	MDTP2584	RECEIVED

Message	Persid	Sender/Receiver
COME BACK TO BRANDY'S	MDTP2928	MDTP2928
LOCATION??	MDTP2840	MDTP2840
CLR FROM NCIC 02FEB02	HOTDESK	HOTDESK
0323 1101 NCIC RESPONSE		
ILCPD00L3 NO NCIC WANT		
OLN/M20072054328 NO NCIC		
WANT VLN/1FAP14JTNW107706 NO		
NCIC WANT NAM/ DOB/		
1954 SEX/M		
DID U STILL WANT TO MEET	MDTP2840	MDTP2840
JUST HAVE YOUR	MDTP2840	MDTP2840
CUPES WHENEVER U WANT THEM	MDTP2840	MDTP2840
WHERE U AT NOW	MDTP2840	MDTP2840
" ARCHER AND OAK	MDTP2840	MDTP2840
PARK WITH 890	MDTP2840	MDTP2840
B RITE THERE	MDTP2840	MDTP2840
CATCH U LATER	MDTP2840	MDTP2840
10-4	MDTP2840	MDTP2840
B CLR HD	HOTDESK	HOTDESK
L-MSKIT1 IL PC 0423		
02FEB02		
CLR FROM LEADS 02FEB02	HOTDESK	HOTDESK
0423 XCX NO REC LEADS		
LIC/MSKIT1 LIS/IL		
FROM SOS 02FEB02	HOTDESK	HOTDESK
0423 SOS 020202 0423		
STA/VALID VAL/ 020202		
TTL/T9068501002 MSKIT1 0103		
ORIG PLT LIC STX/0Z2160462		
60505 C515*		
2126-3905		
1G1FP23E3NL121323 92 CHEVRONLET		
COUPE STATUS UNAVAILABLE REF		
PLT/MSKIT1 EXP/0102	HOTDESK	HOTDESK
CLR FROM LEADS 02FEB02	HOTDESK	HOTDESK

C. R. 278101
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Message Search for

MDTP2584

810

From: 02-FEB-2002 02:00:00

To: 02-FEB-2002 07:00:00

Creation Date

Wks Name

Sent/Received

Message

Persid

Sender/Receiver

0423 XCY NO REC LEADS NAM/

SEX/F DOB/ 63

DLN/ VIN/

1G1FP23R3N121323

FROM SOS 02FEB02

0423 SOS 020202 0423 DL/IP

STA/ VALID TDL/TIP

STA/SEE IL0LNHELP

CDL/CIP

STA/SEE IL0LNHELP

SCHBUS STA/NOT A SCHOOL BUS

DRIVER SEE IL0LNHELP

DOB/ 63 >

HGT/5 07" WGT/150 HAI/BLN EYE/

HAZ OLN/CS15-2126-3905 OLC/D*

OLT/ORIG EXP/10262003 ISS/

10261999 RES-PID CLASS/

CORRECTIVE LENSES NO

STOPS IN EFFECT NO CONV

LAST 12 MO DIGITAL

ISSUE END

AKA/ NIC/

W392216340

DTE/20020110 2335 EST

IMMED CONFIRM WARRANT AND

EXTRADITION WITH ORI NO NCIC

WANT OLN/CS152163905 NO

NCIC WANT

VIN/1G1FP23R3N121323

HIT FROM NCIC 02FEB02

0423 IL01 NCIC RESPONSE

ILCPD00L3 ***POSSIBLE HIT

- VERIFY DRIVER AND

C. R. 278101
ATTACHMENT # 26A

Message 02-FEB-2002 02:00:00

02-FEB-2002 07:00:00

Persid

Sender/Receiver

From:

Wks Name

Sent/Received

Creation Date

Message

VEHICLE** MKE/WANTED

PERSON CRT/CN0070000 SEX/F PAC/W

DOB/1963 HGT/504 WGT/125

EYE/HAZ HAI/BRO FBI/528570CAL

SMT/TAT L LEG

SOC/556295532 OLN/U1072570

OLS/ CA OLY/2002 OFF/FAILURE

TO APPEAR - SEE MIS

DON/20020109 OCA/091956

MIS/SUPERIOR CRT VIOL

POSS NARC CNTRL SUBST FTA

OPER61666 ORI IS CONTRA COSTA

CO SO MARTINEZ 925 646-2441

DOB/ 19630626 DOB/1963

AKA/ >

B CLR HD

L=1231339 IL PC 0437

02FEB02

CLR FROM LEADS 02FEB02

0437 XCX NO REC LEADS

LIS/IL

LIC/1231339 02FEB02

FROM SOS

0437 SOS 020202 0436

STA/VALID VAL/ 102301

TTL/T1057874031 1231339 0902

ORIG PLT LIC STX/200685329

SIFUENTES VIVIANA 2719 W 35TH

CHICAGO 60632 5153-8607-9799

HOTDESK

HOTDESK

HOTDESK

HOTDESK

HOTDESK

HOTDESK

02-FEB-2002 04:37:08 MDT2584 RECEIVED

02-FEB-2002 04:37:09 MDT2584 RECEIVED

02-FEB-2002 04:37:07 MDT2584 RECEIVED

02-FEB-2002 04:37:07 MDT2584 RECEIVED

02-FEB-2002 04:37:05 MDT2584 RECEIVED

02-FEB-2002 04:23:37 MDT2584 RECEIVED

C. R. 278101 ATTACHMENT # 26A

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Message Search for

MDTP2584

810

From: 02-FEB-2002 02:00:00

To: 02-FEB-2002 07:00:00

Creation Date Wks Name Sent/Received

Message

Persid

Sender/Receiver

02-FEB-2002 04:37:09 MDTP2584 RECEIVED

CLASS/CORRECTIVE LENSES NO
STOPS IN EFFECT NO CONV LAST
12 MO DIGITAL ISSUE END
FROM SOS 02FEB02
0437 SOS 020202 0436 DL/TP
STA/ VALID TDL/TP
STA/SEE ILOINHELP CDL/CIP
STA/SEE ILOINHELP
SCHUBS STA/NOT A SCHOOL BUS
DRIVER SEE ILOINHELP

HOTDESK

02-FEB-2002 04:37:10 MDTP2584 RECEIVED

DOB/071379 HGT/5 > 60632 SEX/F
CLR FROM LEADS 02FEB02
0437 KCX NO REC LEADS
NAM/ SEX/F
DOB/ 9 DIN/
VIN/
1C3ES46C2YD629924

HOTDESK

02-FEB-2002 04:37:11 MDTP2584 RECEIVED

CLR FROM NCIC 02FEB02
0437 IL01 NCIC RESPONSE
ILCPD00L3 NO NCIC WANT
DLN/S15386079799 NO NCIC
WANT VIN/1C3ES46C2YD629924 NO
NCIC WANT NAM/SIFUENTES
VIVIANA DOB/1979 SEX/F

HOTDESK

02-FEB-2002 04:38:32 MDTP2584 RECEIVED
02-FEB-2002 04:38:57 MDTP2584 SENT
02-FEB-2002 04:56:41 MDTP2584 SENT
02-FEB-2002 05:05:58 MDTP2584 RECEIVED

840 TOMORROW
10-99
U UP?
BE THERE IN A
COUPLE STUCK BY TRAIN

D008P1
D001P1

02-FEB-2002 05:08:10 MDTP2584 SENT

ALL AROUND A
WATER STAND WAITING FOR A
TRAIN, A THOUSAND MILES AWAY
FROM HOME STANDING IN THE RAIN.
WELL I I HAVEN'T GOT A NICKLE,
NOT A PENNY DO I

MDTP2547

C. R. 278101
ATTACHMENT # 20A

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Message Search for

MDTP2584

810

From: 02-FEB-2002 02:00:00

To: 02-FEB-2002 07:00:00

Creation Date Wks Name Sent/Received

Message

Persid

Sender/Receiver

02-FEB-2002 05:35:27 MDTP2584 RECEIVED

OWN...J.ROGERS BLUE YODEL 12
M/MDTP2584 810

LEADS

02-FEB-2002 05:35:27 MDTP2584 RECEIVED

HGX NO REC LEADS
LIC/96C9787 LIS/IN
P M/MDTP2584 810

LEADS

02-FEB-2002 05:35:29 MDTP2584 RECEIVED

1101 NCIC RESPONSE
ILCPD00H1 NO RECORD
LIC/96C9787 LIS/IN
M/MDTP2584
FROM IN HGX 05.35.06
02/02/02*INBMANV00 ILCPD00H1
NOT ON FILE LIC/96C9787
LIV/02 LIT/PC
M/MDTP2584 810

LEADS

02-FEB-2002 06:12:10 MDTP2584 RECEIVED

HGX NO REC LEADS
LIC/T849969 LIS/IL
M/MDTP2584 810

LEADS

02-FEB-2002 06:12:11 MDTP2584 RECEIVED

STA/VALID VDL/030701
TTL/T1086624034 T849969 0202
ORIG PLT
SOS 020202 0611
CHICAGO 60629

02-FEB-2002 06:12:12 MDTP2584 RECEIVED

S530-7987-6954
KMHCG35C51U115163 01 HYUNDAI
2D HACHBK STATUS UNAVAILABLE
11-306 COOK1

LEADS

02-FEB-2002 06:12:12 MDTP2584 RECEIVED

DIGITAL ISSUE END
M/MDTP2584 810
HGX NO REC LEADS
NAM T SEX/F
DOB 76 DLN/S53079876884
VIN/KMHCG35C51U115163
M/MDTP2584 810

LEADS

02-FEB-2002 06:12:12 MDTP2584 RECEIVED

1101 NCIC RESPONSE
ILCPD00H1 NO NCIC WANT
DLN/S53079876954 NO NCIC WANT
VIN/KMHCG35C51U115163 NO NCIC

LEADS

C.A. 278101

ATTACHMENT #

264

OFFICE OF EMERGENCY COMMUNICATIONS

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Message Search for

MDTP2584

810

From: 02-FEB-2002 02:00:00

To:

02-FEB-2002 07:00:00

Creation Date Wks Name Sent/Received

Message

Persid

Sender/Receiver

02-FEB-2002 06:12:12 MDTP2584 RECEIVED

WANT NAM/SMITH, SALITRIA T

DOB/19761213 SEX/F

M/MDTP2584 810

SOS 020202 0611 DL/TP

LEADS

STA/VALID TDL/TIP STA/SEE

ILIOINHELP CDL/CIP STA/SEE

ILIOINHELP SCHIBUS STA/NOT A

SCHOOL BUS DRIVER (SEE

ILIOINHELP) SMITH SALITRIA T

6515 S TALMAN AVE CHICAGO

60629 SEX/F DOB/121376

HGT/5'03" WGT/167 HAI/BRO

EYE/BRO OLN/5530-7987-6954

OLC/D* OLT/ORIG EXP/12132005

ISS/01102001 RES-PID

CLASS/CORRECTIVE LENSES NO

STOPS IN EFFECT 1 CONV LAST

12 MO CONV 05242001 M

TILL HANDLE CHECK-OFF

10-99 THANKS

MDTP2940
MDTP2940

02-FEB-2002 06:19:57 MDTP2584 RECEIVED
02-FEB-2002 06:20:35 MDTP2584 SENT

C. R. 278101
ATTACHMENT # 26A

OFFICE OF EMERGENCY COMMUNICATIONS

Page: 1

Message Search for

MDTP2659

810

From: 02-FEB-2002 02:00:00

To: 02-FEB-2002 07:00:00

Creation Date	Wks Name	Sent/Received	Message	Persid	Sender/Receiver
02-FEB-2002 02:24:53	MDTP2659	RECEIVED	PICK UP YOUR PARTNER		MDTP2955
02-FEB-2002 02:30:33	MDTP2659	SENT	99		MDTP2955
02-FEB-2002 02:51:16	MDTP2659	RECEIVED	INVALID DATA		HOTDESK
			SEE NEXT LINE(S)		
			D=42072017030		
02-FEB-2002 02:51:44	MDTP2659	RECEIVED	B CLR HD		HOTDESK
			R42072017030		
			0251		
			02FEB02		
02-FEB-2002 02:51:45	MDTP2659	RECEIVED	FROM SOS		HOTDESK
			SOS 020202 0251 SOS23 NO		
			RECORD ON FILE-SEARCH KEY		
			R42072017030		
02-FEB-2002 02:52:23	MDTP2659	RECEIVED	DLN/		HOTDESK
			B CLR HD		
			R20072076030		
			0252		
			02FEB02		
02-FEB-2002 02:52:25	MDTP2659	RECEIVED	CLR FROM LEADS 02FEB02		HOTDESK
			5XCK IDS/C00F3178 *** ORDER		
			OF PROTECTION *** EXPIRED		
			*** CCN/ 004013007		
			ISS/11272000 EXP/		
			12182000 SRV/11272000		
			RESPONDENT NAME		
			SEX/M RAC/W DOB/		
			HGT/503 WGT/125 HAI/BLK		
			EYE/BRO		
02-FEB-2002 02:52:25	MDTP2659	RECEIVED	FROM SOS		HOTDESK
			SOS 020202 0252 DL/TP STA/		
			VALID TDL/TIP STA/SEE		
			ILIONHELP CDL/CIP STA/SEE		
			ILIONHELP SCHIBUS		
			STA/NOT A SCHOOL BUS		
			DRIVER SEE ILIONHELP		
			CHICAGO 60623 SEX/M		
			DOB/ 76 HGT/5 >		
			03" WGT/115 HAI/BLK EYE/BRO		

C. E. 278101
ATTACHMENT# 26A

OFFICE OF EMERGENCY COMMUNICATIONS

Page: 2

Message Search for

MDTP2659

810

FROM: 02-FEB-2002 02:00:00

TO: 02-FEB-2002 07:00:00

Creation Date Wks Name Sent/Received

Message

Persid

Sender/Receiver

02-FEB-2002 02:52:26 MDTP2659 RECEIVED

OLN/R200-7207-6030 OLC/D*
OIT/ ORIG EXP/01302006
ISS/01102002 RES-PID
CLASS/NONE NO STOPS IN
EFFECT NO CONV LAST 12 MO
DIGITAL ISSUE END

HOTDESK

02-FEB-2002 02:52:26 MDTP2659 RECEIVED
02-FEB-2002 02:52:27 MDTP2659 RECEIVED

CLR FROM LEADS 02FEB02
PETITIONER PNM/ROCHA MONICA
PROTECTED PERSONS NM1/ROCHA
MONICA RL1/OTHER FAMILY
MEMBER PROTECTED ADDR
PA1/2543 S SPRINGFIELD
CHICAGO IL ORA/S COOK
COUNTY IL ENT/XCR OPR/MB
TME/0958 DTE/11282000 NIC/

HOTDESK
HOTDESK

02-FEB-2002 02:52:27 MDTP2659 RECEIVED

H071045190 CONFIRM WITH ORA
CLR FROM LEADS 02FEB02
REMEDIES CONTACT ORA FOR
DETAILS R01 PROHIBITED FROM
PHYSICAL ABUSE HARASSMENT
WILLFUL DEPRIVATION
STALKING INTIMIDATION OF A
DEPENDENT OR INTERFERENCE
WITH PERSONAL LIBERTY OF
PROTECTED PERSON S >

HOTDESK

02-FEB-2002 02:52:27 MDTP2659 RECEIVED

CLR FROM LEADS 02FEB02
5XCX IDS/C00F3882 *** ORDER
OF PROTECTION *** CONFIRM
EXP DATE *** CCN/004013007
ISS/11302000 EXP/00000000
SRV/11302000 RESPONDENT
NAM [REDACTED] SEX/M
RAC/W DOB [REDACTED] 76 HGT/503
WGT/125 HAI/BLK EYE/BRO
POLICE ENFORCED - CLASS A
MISDEMEANOR R02 PROHIBITED

HOTDESK

C. R. 278101
ATTACHED 26A

OFFICE OF EMERGENCY COMMUNICATIONS

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Message Search for

MDTP2659

810

From: 02-FEB-2002 02:00:00

To: 02-FEB-2002 07:00:00

Creation Date Wks Name Sent/Received

Message

Persid

Sender/Receiver

FROM ENTERING OR REMAINING AT
RESIDENCE/HOUSEHOLD

INHABITED BY PROTECTED
PERSON S POLICE ENFORCED
R03 PROHIBITED FROM
ENTERING OR REMAINING AT PLACE
OF EMPLOYMENT SCHOOL OR

OTHER >
SPECIFIED PLACES SPECIFIED BY
THE COURT POLICE ENFORCED

CLR FROM LEADS 02FEB02
REMEDIES CONTACT ORA FOR

DETAILS R01 PROHIBITED FROM
PHYSICAL ABUSE HARASSMENT
WILLFUL DEPRIVATION
STALKING INTIMIDATION OF A
DEPENDENT OR INTERFERENCE
WITH PERSONAL LIBERTY OF
PROTECTED PERSON S >

CLR FROM LEADS 02FEB02
5XCX IDS/C01A7331 *** ORDER
OF PROTECTION *** ACTIVE ***
CCN/ 004013007 ISS/02152001
EXP/ 02132003

SRV/02152001
RESPONDENT NAM/

SEX/M RAC/W DOB/ 6
HGT/503 WGT/125 HAI/BLK
EYE/BRO

POLICE ENFORCED - CLASS A
MISDEMEANOR R02 PROHIBITED
FROM ENTERING OR REMAINING AT
RESIDENCE/HOUSEHOLD
INHABITED BY PROTECTED
PERSON S POLICE ENFORCED
R03 PROHIBITED FROM
ENTERING OR REMAINING AT PLACE

02-FEB-2002 02:52:27 MDTP2659 RECEIVED

HOTDESK

02-FEB-2002 02:52:28 MDTP2659 RECEIVED

HOTDESK

02-FEB-2002 02:52:28 MDTP2659 RECEIVED

HOTDESK

02-FEB-2002 02:52:28 MDTP2659 RECEIVED

HOTDESK

C. R. 278101
ATTACHMENT # 26A

OFFICE OF EMERGENCY COMMUNICATIONS

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Message Search for MDT2659

From: 02-FEB-2002 02:00:00

To: 02-FEB-2002 07:00:00

810

Creation Date	Wks Name	Sent/Received	Message	Persid	Sender/Receiver
02-FEB-2002 02:52:28	MDTP2659	RECEIVED	OTHER > SPECIFIED PLACES SPECIFIED BY THE COURT POLICE ENFORCED		HOTDESK
02-FEB-2002 02:52:29	MDTP2659	RECEIVED	CLR FROM LEADS 02FEB02 PETITIONER PNM PROTECTED PERSONS NMI RLI/OTHER FAMILY MEMBER PROTECTED ADDR PAL/2543 S SPRINGFIELD CHGO IL MIS/ RESPONDENT SERVED IN OPEN COURT AMERITECH 10 S CANAL CHICAGO >		HOTDESK
02-FEB-2002 02:52:29	MDTP2659	RECEIVED	CLR FROM LEADS 02FEB02 PETITIONER PNM PROTECTED PERSONS NMI RLI/OTHER FAMILY MEMBER PROTECTED ADDR PAL CHICAGO IL MIS/ RESPONDENT SERVED IN OPEN COURT ORA/S COOK COUNTRY IL ENT/XCR > OPR/MB TME/1102 DTE/12012000 DTV/02222001 VID/AD CONFIRM WITH ORA		HOTDESK
02-FEB-2002 02:52:29	MDTP2659	RECEIVED	ORA/S COOK COUNTY IL ENT/XCR OPR/MB TME/0915 DTE/02162001 NIC/H601203789 DIV/04102001 VID/ JG CONFIRM WITH ORA CLR FROM LEADS 02FEB02 REMEDIES CONTACT ORA FOR DETAILS R01 PROHIBITED FROM PHYSICAL ABUSE HARASSMENT WILLFUL DEPRIVATION STALKING INTIMIDATION OF A		HOTDESK
02-FEB-2002 02:52:30	MDTP2659	RECEIVED			HOTDESK

C. R. 278101
ATTACHMENT # 26A

OFFICE OF EMERGENCY COMMUNICATIONS

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Message Search for

MDTP2659

810

From: 02-FEB-2002 02:00:00

To: 02-FEB-2002 07:00:00

Creation Date Wks Name Sent/Received

Message

Persid

Sender/Receiver

02-FEB-2002 02:52:30 MDTP2659 RECEIVED

DEPENDENT OR INTERFERENCE
WITH PERSONAL LIBERTY OF
PROTECTED PERSON S >
CLR FROM LEADS 02FEB02
XCX NO REC LEADS DOB/6
DIN/

HOTDESK

02-FEB-2002 02:52:30 MDTP2659 RECEIVED

POLICE ENFORCED - CLASS A
MISDEMEANOR R02 PROHIBITED
FROM ENTERING OR REMAINING AT
RESIDENCE/HOUSEHOLD
INHABITED BY PROTECTED
PERSON S POLICE ENFORCED
R03 PROHIBITED FROM
ENTERING OR REMAINING AT PLACE
OF EMPLOYMENT SCHOOL OR

HOTDESK

02-FEB-2002 02:52:30 MDTP2659 RECEIVED

02-FEB-2002 02:52:31 MDTP2659 RECEIVED

OTHER >
SPECIFIED PLACES SPECIFIED BY
THE COURT POLICE ENFORCED
ENTERING AGENCY TO CONFIRM
STATUS AND TERMS OF
PROTECTION ORDER****
MKE/PROTECTION ORDER
ORI/II0169QX1 NAM/6
SEX/M RAC/W
DOB/1976 HGT/ 503
WGT/125 EYE/BRO HAI/BLK PNO/
004013007 BRD/N ISD/20010215
EXP/20030213 PCO/SEE THE

HOTDESK

HOTDESK

02-FEB-2002 02:52:31 MDTP2659 RECEIVED

HIT FROM NCIC 02FEB02
1001 NCIC RESPONSE IICPP09043
***POSSIBLE HIT - VERIFY
DRIVER AND VEHICLE***
*****WARNING - THE
FOLLOWING IS AN NCIC
PROTECTION ORDER RECORD DO NOT
SEARCH DETAIN OR ARREST

HOTDESK

C. B. 278101
ATTACHMENT # 26A

OFFICE OF EMERGENCY COMMUNICATIONS

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Message Search for

MDTP2659

810

From: 02-FEB-2002 02:00:00

To: 02-FEB-2002 07:00:00

Creation Date	Wks Name	Sent/Received	Message	Persid	Sender/Receiver
02-FEB-2002 02:52:31	MDTP2659	RECEIVED	BASED SOLELY ON THIS RECORD CONTACT > HIT FROM NCIC 02FEB02 1102 NCIC RESPONSE NO NCIC WANT 01IN/R20072076030 MISCELLANEOUS FIELD FOR COMMENTS REGARDING THE TERMS AND CONDITIONS PCO/OF THE ORDER OCA/C01A7331 MIS/PROTECTED PERSON S ILLINOIS REMEDY S 01 02 03 SEND MIS/ ADMINISTRATIVE MESSAGE TO ORI ILPOHELP FOR EXPANDED		HOTDESK
02-FEB-2002 02:52:31	MDTP2659	RECEIVED			HOTDESK
02-FEB-2002 02:52:32	MDTP2659	RECEIVED	EXPLANATION RESPONDENT MIS/ SERVED IN OPGCOURT AMERITECH 10 S CANAL CHICAGO ORI IS SHERIFF S POLICE COOK COUNTY SUBSTATION CHICAGO 773 843-4707 NIC/H601203789 DTE/20010216 1017 EST # SNOW ROUTE KEDZIE & 79th ST B CLR HD L=1115873 IL PG 0322 02FEB02		HOTDESK
02-FEB-2002 03:22:07	MDTP2659	RECEIVED			HOTDESK
02-FEB-2002 03:22:08	MDTP2659	RECEIVED	CLR FROM LEADS 02FEB02 0322 XCX NO REC LEADS LIC/1115873 LIS/IL		HOTDESK
02-FEB-2002 03:22:10	MDTP2659	RECEIVED	CLR FROM LEADS 02FEB02 0322 XCX NO REC LEADS VIN/ 1G8CT1BR3G0136060		HOTDESK
02-FEB-2002 03:22:10	MDTP2659	RECEIVED	EXP/0601 FROM SOS 02FEB02 0322 SOS 020202 0321 STA/VALID VAL/ 082701		HOTDESK
02-FEB-2002 03:22:10	MDTP2659	RECEIVED			HOTDESK

C. R. 278101
26A

OFFICE OF EMERGENCY COMMUNICATIONS

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MDTP2659

810

Message Search for

From: 02-FEB-2002 02:00:00

To: 02-FEB-2002 07:00:00

Creation Date Wks Name Sent/Received

Message

Persid

Sender/Receiver

TTL/T0243010010 T115873 0602
ORIG PLT LIC STX/ZF2045009

ST CHICAGO 60632
1G8CT18R3G0136060 86
CHEVROLET UTILITY STATUS
UNAVAILABLE REF PLT/T115873

HOTDESK

02-FEB-2002 03:57:27 MDTP2659 RECEIVED

CLR FROM NCIC 02FEB02
0322 1L01 NCIC RESPONSE
1LCPD00L3 NO RECORD
VIN/1G8CT18R3G0136060
STAY THERE
+ STAY THERE, I
NEED 2 DROP OFF UR CUFFS
GOING IN 008
GOING IN 008
MEET 63 PUL
D 26 SNOW WE
DID 39-71 KEDZIE DIDNT DO 71-
87 KEDZIE AND 79TH ST
B CLR HD
L-1830557 IL PC 0413
02FEB02

MDTP2864

MDTP2864

02-FEB-2002 04:07:24 MDTP2659 RECEIVED
02-FEB-2002 04:07:53 MDTP2659 RECEIVED

MDTP2864

MDTP2864

02-FEB-2002 04:10:29 MDTP2659 SENT
02-FEB-2002 04:10:39 MDTP2659 SENT

MDTP2931

02-FEB-2002 04:11:36 MDTP2659 SENT

HOTDESK

02-FEB-2002 04:13:25 MDTP2659 RECEIVED

HOTDESK

02-FEB-2002 04:13:26 MDTP2659 RECEIVED

CLR FROM LEADS 02FEB02
0413 XCX NO REC LEADS
LIC/1830557 LIS/IL
CLR FROM LEADS 02FEB02
0413 XCX NO REC LEADS VIN/

HOTDESK

02-FEB-2002 04:13:28 MDTP2659 RECEIVED

1G3HY6934G1861827M/MOB7D625
XCX NO REC LEADS VIN/
1G3HY6934G1861827

HOTDESK

02-FEB-2002 04:13:28 MDTP2659 RECEIVED

FROM SOS 02FEB02
0413 SOS 020202 0413
STA/VALID VAL/ 103001
TTL/T1330608583 1830557 1002

C. R. 278101
ATTACHMENT 26A

OFFICE OF EMERGENCY COMMUNICATIONS

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Message Search for

MDTP2659

810

From: 02-FEB-2002 02:00:00

To: 02-FEB-2002 07:00:00

Creation Date Wks Name Sent/Received

Message

Persid

Sender/Receiver

ORIG PLT

CHICAGO

60629 1G3HY6934G1861827 86

OLDSMOBILE 4 DOOR STATUS

UNAVAILABLE

02-FEB-2002 04:13:29 MDTP2659 RECEIVED

HOTDESK

CLR FROM NCIC 02FEB02

0413 1101 NCIC RESPONSE

ILCPD0013 NO RECORD

02-FEB-2002 04:14:08 MDTP2659 RECEIVED

MDTP2931

VIN/1G3HY6934G1861827
OK THANKS.
79TH STREET GETS A PLAY TODAY.

C. F. 278101
ATTENTION 26A

OFFICE OF PROFESSIONAL STANDARDS

05 Feb 02
CR#278101

TO: Chief Administrator
Office of Professional Standards

FROM: Inv. James Lukas #231

SUBJECT: Canvass

On 04 Feb 02, at approximately 1950 hours, Inv. Robert Troy #253 and the R/I canvassed the vicinity of the incident under investigation, which occurred inside 5858 S. Rutherford and in the back yard there. Officer M. Tracy and P.P.O. K. Magers live at that address, which is at the northwest corner of 59th and Rutherford. The incident occurred between approximately 2030 hours on 02 Feb 02 and approximately 0245 hours on 03 Feb 02. The following are the results of the canvass:

[REDACTED] Single-family brick house; [REDACTED] M/W, 65 YOA, and his wife, [REDACTED] F/W, 64 YOA, home phone, [REDACTED]; Mr. and Mrs. [REDACTED] said they did not hear any gunshots or a disturbance at the house next door at [REDACTED] during the incident time. They also did not observe any incident outside. Mr. [REDACTED] said he and his wife went to bed about midnight on 02 Feb 02. Mr. [REDACTED] who said he is a retired fireman, related that Officer Tracy and P.P.O. Magers are excellent neighbors. The [REDACTED] said a boy named [REDACTED] 12 YOA, also lives at the [REDACTED] address. Mr. [REDACTED] said his neighbor to the north at [REDACTED] mentioned that officers came to his house on 03 Feb 02 investigating a shots-fired incident.

5852 S. Rutherford Single-family brick house; no answer at front door; business card left in door.

5855 S. Rutherford Single-family brick house across street and one door north from 5858 S. Rutherford; no answer; business card left in door.

6735 W. 59th St.
SW corner Single-family brick house; no answer; business card left in door.

6739 W. 59th St. Single-family brick house; no answer; business card left in door.

6741 W. 59th St. Single-family brick house; no answer; business card left in door.

[REDACTED] Single-family brick house; [REDACTED] M/W, [REDACTED] 29, and his daughter, [REDACTED] F/W, [REDACTED] 65, home phone, [REDACTED] Ms. [REDACTED] said that on 02 Feb 02, at approximately 1600-1630 hours, she

C. R. 278101
ATTACHMENT # 27

OFFICE OF PROFESSIONAL STANDARDS

Continuation of canvass

CR#278101

p. 2

heard what sounded like two gunshots outside, possibly toward the west. She and Mr. [REDACTED] related that they did not hear any gunshots or disturbance during the incident time, which was several hours later than 1600-1630 hours.

[REDACTED] Single-family brick house; [REDACTED] M/W, 69 YOA, home phone [REDACTED] said he did not hear any gunshots or a disturbance during the incident time.

James Lukas #231
Inv. James Lukas #231

Approved:

[Signature]
Supervisor, O.P.S.

C. R. 278101
ATTACHMENT # 27

Office of Professional Standards

05 Feb 02
CR #278101

To: OPS Chief Administrator Callie Baird
From: OPS Inv. Robert Troy #253
Subject: Response to Canvass

On 05 Feb 02 at approximately 1510 hours, the R/I received a telephone call from a man who identified himself as [REDACTED] (M/W, 69YOA). Mr. [REDACTED] related that he resides at [REDACTED] and was inside his home on the evening of 02 Feb 02. Mr. [REDACTED] went to sleep at approximately 2300 hours. At no time during the evening or early morning hours of 03 Feb 02 did Mr. Gomulka ever become aware of any type of disturbance occurring at [REDACTED] nor did he ever hear any noise that sounded like a gunshot. Mr. [REDACTED] did note that on 05 Feb 02, he observed that the rear glass patio doors of [REDACTED] were boarded up as if they had been broken.


OPS Inv. Robert Troy #253

Approved:


Supervisor, OPS

Page 1 of 1

Office of Professional Standards

05 Feb 02
CR #278101

To: Chief Administrator, Office of Professional Standards
From: OPS Inv. Robert Troy #253
Subject: Response to Canvass

On 05 Feb 02 at approximately 1543 hours, the R/I received a telephone call from a woman who identified herself as [REDACTED] F/W, 53 YOA, [REDACTED]. Ms. [REDACTED] related that she resides at [REDACTED] and was inside her home on the evening of 02 Feb 02. Ms. [REDACTED] went to sleep at approximately 1730 hours, due to health problems. At no time during the evening or early morning hours of 03 Feb 02 did Ms. [REDACTED] ever become aware of any type of disturbance occurring at [REDACTED] nor did she ever hear any noise that sounded like a gunshot. Ms. [REDACTED] did note that a Chicago Police Officer named [REDACTED] resides at [REDACTED], but he had not mentioned any incident to her.

pu 3 293
OPS Inv. Robert Troy #253

Approved:


Supervisor, OPS

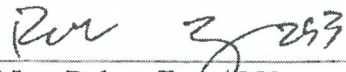
Page 1 of 1

Office of Professional Standards

05 Feb 02
CR #278101

To: Chief Administrator, Office of Professional Standards
From: OPS Inv. Robert Troy #253
Subject: Response to Canvass

On 05 Feb 02 at approximately 1543 hours, the R/I received a telephone call from a woman who identified herself as [REDACTED] (F/W, 49YOA). Ms. [REDACTED] related that she resides at [REDACTED] and was inside her home on the evening of 02 Feb 02. At no time during the evening or early morning hours of 03 Feb 02 did Ms. [REDACTED] ever become aware of any type of disturbance occurring at [REDACTED], nor did she ever hear any noise that sounded like a gunshot.


OPS Inv. Robert Troy #253

Approved:

Supervisor, OPS

Page 1 of 1

OFFICE OF PROFESSIONAL STANDARDS

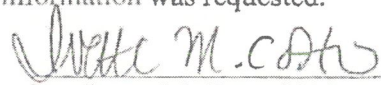
06 Feb 2002
CR. 278101

TO: Chief Administrator
Office of Professional Standards

FROM: Inv. Ivette M. Cotto #210

SUBJECT: EMPLOYEE INFORMATION

On 06 Feb 02, the R/I contacted the Department's Personnel Division, Employee file section to retrieve the Department's current address for the accused, Michael TRACY. The current address on file is 6947 W. Archer. A copy of that information was requested.


Inv. Ivette M. Cotto #210

Approved:

O.P.S. Supervisor

C. R. 278101
ATTACHMENT # 31

Cotto
5-3589
PI09

** EMPLOYEE INFORMATION **

FUNCTION: DISPLAY

SSN [REDACTED] EMP # [REDACTED] NAME TRACY MICHAEL J STAR 14349 TYPE S
ADDRESS 6947 W ARCHER APT ZIP 60638 DIST OF RES 008
PHONE [REDACTED] DATE OF BIRTH [REDACTED]/48 AGE 53 SEX M RACE X

*** PERSONNEL INFORMATION ***

JOB STATUS ACTIVE
C/S TITLE 9161 POLICE OFFICER CURRENT TITLE 9161 POLICE OFFICER UNIT ASSN 008
ASSN CODE 010 2 MAN/CAR UNIT DETAILED CURRENT WATCH 3
APPT DATE 06/10/75 SENIORITY DATE 03/21/74
BLOOD TYPE MARITAL STATUS 2 MARRIED

*** SKILLS ***

LANGUAGE

UND SPEAK READ WRITE

OCCUPATIONAL SKILL

MILITARY SKILL

EDUCATIONAL LEVEL

UNIT ASSN 008 DISTRICT 008 DETAILED
UNIT ADDR 3515 W 63RD STREET PAX 1274 BELL 7-17-8224

4-0

1 Sess-1 167.165.0.140

TPD15210

1/68

C. R. 278101
ATTACHMENT # 31A

ATTENDANCE & ASSIGNMENT RECORD
CHICAGO POLICE DEPARTMENT

UNIT

008 DISTRICT 008
3515 W 63RD STREET

PAYROLL
NO. 1180

DATE 03 FEB 02

PAGE 01

STAR NO	NAME	PRESENT FOR DUTY	TITLE CODE	SOCIAL SECURITY	DAY OFF	ABSENCE EXPLANATION AND/OR COMP. TIME WORKED	ASSIGNMENT DESCRIPTION	CAR NO.	BEAT NO.	TEMPORARY CHANGE OF ASSIGNMENT OR ADDITIONAL ASSIGNMENT
00046	HUGHES THOMAS		9175				WATCH COMM			
00042	MC GIVNEY MICHAEL	X	9173				FIELD LIEUT	9178	890 0001-0830	
00214	WITTENBERG JOHN	X	9173				FIELD LIEUT		WC 2200-0600	
02471	BATTAGLIA JR FRANK	X	9171				SUPV SERGEANT	89041	890 0001-0830	
01442	FORTUNA MARK	X	9171				SUPV SERGEANT	8986	820 0001-0830	
02464	HANLON EDWARD		9171				SUPV SERGEANT			
01842	HENCKE MICHAEL	X	9171			83 MED	SUPV SERGEANT			
02090	FALUCH CHRISTOPH	X	9171				SUPV SERGEANT	9042	830 2300-0730	
02664	VASQUEZ VIDAL	X	9171				SUPV SERGEANT	8664	810 2300-0730	
02120	WOLAN STAN		9171				SUPV SERGEANT			
15157	ALMAZAN SONIA	X	9161				2 MAN/CAR	8357	894 0001-0830	
17882	AVILA JOSEPH	X	9161				2 MAN/CAR	7991	832 0001-0830	
07119	AYE ROBERT	X	9161				2 MAN/CAR		802 0200-0600	
13238	BECK WILLIAM	X	9161				2 MAN/CAR	6113	872 0001-0830	
19019	BELL ROBERT	X	9161				2 MAN/CAR	9166	822 0001-0830	
18216	BLASZCZYK JAMES	X	9161			CE 150 + 1	2 MAN/CAR	8724	823 2300-0730	
06317	BOKOWSKI WILLIAM	X	9161				2 MAN/CAR	8305	834 0001-0830	
17932	CERNA GUILLERMO	X	9161			CE 150 + 1	2 MAN/CAR	8724	823 2300-0730	
17963	COLON MICHAEL		9161				2 MAN/CAR			
07870	CORTES GUSTAVO	X	9161				2 MAN/CAR	9064	824 0001-0830	
19219	COSTELLO MICHAEL		9161			CE 2950 + 3.5	2 MAN/CAR			
09308	CRUZ PETER	X	9161				2 MAN/CAR	8780	822 0001-0830	

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SIGNATURE OF WATSON
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ATTENDANCE & ASSIGNMENT RECORD
CHICAGO POLICE DEPARTMENT

UNIT

008 DISTRICT 008
3515 W 63RD STREET

PAYROLL NO. 1180

DATE 03 FEB 02

PAGE 01

WATCH	STAR NO.	NAME	PRESENT FOR DUTY	TITLE CODE	SOCIAL SECURITY	8CB2	OTHER	ABSENCE EXPLANATION AND/OR COMP TIME WORKED	ASSIGNMENT DESCRIPTION	CAR NO.	BEAT NO.	TEMPORARY CHANGE OF ASSIGNMENT
1	00046	HUGHES THOMAS	X	9175					WATCH COMM			
1	00342	MC GINNEY MICHAEL	X	9173					FIELD LIEUT	9178	890	2001-0830
1	00244	WITTENBERG JOHN	X	9173					FIELD LIEUT		WC	2200-0600
1	02471	BATTAGLIA JR FRANK	X	9171					SUPV SERGEANT	8941	840	0401-0830
1	01442	FORTUNA MARK	X	9171					SUPV SERGEANT	8986	820	0001-0830
1	02454	HAHLON EDWARD	X	9171					SUPV SERGEANT		801	2200-0600
1	01842	HENCKE MICHAEL	X	9171					SUPV SERGEANT	9042	830	2300-0730
1	02090	PALUCH CHRISTOPH	X	9171					SUPV SERGEANT	8664	810	2300-0730
1	02664	VASQUEZ VIDAL	X	9171					SUPV SERGEANT			
1	02120	WOLAK STAN	X	9171					MAN/CAR	8357	874	0001-0830
1	15157	ALMAZAN SONIA	X	9161					MAN/CAR	7991	832	0001-0830
1	17893	AVILA JOSEPH	X	9161					MAN/CAR		802	2200-0600
1	07119	AYE ROBERT	X	9161					MAN/CAR	6113	872	0001-0830
1	13238	BECK WILLIAM	X	9161					MAN/CAR	9186	822	0001-0830
1	19019	BELL ROBERT	X	9161					MAN/CAR	8724	823	2300-0730
1	18816	BLASZCZYK JAMES	X	9161					MAN/CAR	8355	831	0001-0830
1	06317	BOKOWSKI WILLIAM	X	9161					MAN/CAR	8724	823	2300-0730
1	17932	GERNA CUILEMO	X	9161					MAN/CAR			
1	17963	COLON MICHAEL	X	9161					MAN/CAR	9064	824	0001-0830
1	07570	CORTES GUSTAVO	X	9161					MAN/CAR			
1	19219	COSTELLO MICHAEL	X	9161					MAN/CAR			
1	03908	CRUZ PETER	X	9161					MAN/CAR	8786	822	0001-0830

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ATTENDANCE & ASSIGNMENT RECORD
CHICAGO POLICE DEPARTMENT

UNIT

008 DISTRICT 008
3515 W 63RD STREET

PAYROLL
NO. 1180

DATE 03 FEB 02

PAGE 02

STAR NO.	NAME	TITLE CODE	SOCIAL SECURITY	DAY OFF	ABSENCE EXPLANATION AND/OR COMP. TIME WORKED	ASSIGNMENT DESCRIPTION	CAR NO.	BEAT NO.	TEMPORARY CHANGE OF ASSIGNMENT OR ADDITIONAL ASSIGNMENT
07232	CUNNINGHAM BRIAN	9161		X	CA FEB + 5	2 MAN/CAR			
03438	DARRASH ROBERT	9161		X		2 MAN/CAR			
19408	DODDY DANIEL	9161		X	CA FEB + 1.25	2 MAN/CAR	771	832	0001-0830
04038	DORRIS JOHN	9161		X		2 MAN/CAR			
18972	EGAN JR MICHAEL	9161		X	90 BFD	2 MAN/CAR			
04941	ENGELHARDT JOSEPH	9161		X		2 MAN/CAR	8413	911	2300-0730
13490	FASAN WILLIAM	9161		X		2 MAN/CAR		802	2300-0600
03150	FELKER PATRICK	9161		X		2 MAN/CAR	6113	872	0001-0830
05707	FRIAS RUDY	9161		X		2 MAN/CAR			
11396	FUENTES HECTOR	9161		X		2 MAN/CAR	9124	815	2300-0730
19958	GAFFNEY THOMAS	9161		X	CE 290AM + 4.5	2 MAN/CAR	9104	831	2300-0730
19738	GARCIA ADOLFO	9161		X		2 MAN/CAR			
08481	GOFF GERALD	9161		X		2 MAN/CAR		835	2300-0730
13897	GOLAB WADE	9161		X		2 MAN/CAR			
14029	GURSKIS PETE	9161		X		2 MAN/CAR			
14183	HALEEM MAHMOUD	9161		X		2 MAN/CAR	8438	831	2300-0730
06199	HAYMAN PHILLIP	9161		X		2 MAN/CAR	8743	811	2300-0730
16898	ISADORE EDWARD	9161		X	CE FEB + 5	2 MAN/CAR	8570	821	2300-0730
12758	JOHNSON JAMES	9161		X		2 MAN/CAR			
03471	JOHNSON RICHARD	9161		X		2 MAN/CAR			
19334	KENNY SUSAN	9161		X		2 MAN/CAR	9017	803	2300-0730
14106	KITLBSA CHARMAINE	9161		X		2 MAN/CAR			

11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-5

278101
ATTACHMENT 32

ATTENDANCE & ASSIGNMENT RECORD
CHICAGO POLICE DEPARTMENT

UNIT

008 DISTRICT 008
3515 W 63RD STREET

PAYROLL
NO. 1180

DATE 03 FEB 02

PAGE 03

WATCH	STAR NO.	NAME	PRESENT FOR DUTY	TITLE CODE	SOCIAL SECURITY	DAY OFF	ABSENCE EXPLANATION AND/OR COMP. TIME WORKED	ASSIGNMENT DESCRIPTION	CAR NO.	BEAT NO.	TEMPORARY CHANGE OF WATCH ASSIGNMENT OR ADDITIONAL ASSIGNMENT EXPLANATION
	14378	KOFRON		9161				2 MAN/CAR			
	17256	KOSIOWICZ	X	9161				2 MAN/CAR	848	895	250-0780
	08324	KOSTKA		9161				2 MAN/CAR	8721	833	250-0730
	14763	LOPEZ	X	9161				2 MAN/CAR			
	15872	MATEGRANO		9161				2 MAN/CAR	9124	85	250-0790
	17950	MC CULLOUGH	X	9161				2 MAN/CAR			
	15886	MC LAUGHLIN		9161			VD	2 MAN/CAR			
	06856	MCLEROY		9161				2 MAN/CAR			
	07731	MUI		9161				2 MAN/CAR			
	19354	MURPHY		9161				2 MAN/CAR			
	05529	NUNEZ		9161				2 MAN/CAR			
	16409	O KELLY		9161				2 MAN/CAR			
	16719	OLBRICH		9161			47 DETAIL-003	2 MAN/CAR	8121	833	250-0780
	10016	ORTIZ	X	9161				2 MAN/CAR	9064	824	001-0830
	05455	PANEK	X	9161				2 MAN/CAR			
	17620	QUINONES		9161				2 MAN/CAR	9017	813	250-0750
	14150	RIMKUS	X	9161				2 MAN/CAR			
	08527	SCAPARDINE	X	9161				2 MAN/CAR	8386	825	250-0730
	10342	SEBASTIAN	X	9161			CE/EXP 13.5	2 MAN/CAR			
	12078	SEDEVIC		9161			87 MIL CARE	2 MAN/CAR			
	19696	SOLIS		9161				2 MAN/CAR	8355	834	001-0830
	08024	STANLEY	X	9161				2 MAN/CAR			

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ATTENDANCE & ASSIGNMENT RECORD CHICAGO POLICE DEPARTMENT

UNIT

008 DISTRICT 008
3515 W 63RD STREET

PAYROLL
NO. 1180

DATE 03 FEB 02

PAGE 05

WATCH	STAR NO.	NAME	TITLE CODE	SOCIAL SECURITY	BOB2	OTHER ABSENCE	ABSENCE EXPLANATION AND/OR COMP TIME WORKED	ASSIGNMENT DESCRIPTION	CAR NO.	BEAT NO.	TEMPORARY CHANGE OF WATCH ASSIGNMENT OR ADDITIONAL ASSIGNMENT EXPLANATION
2	00087	RAYL DENNIS	9152					COMMANDER			
2	00045	CZUBAK MICHAEL	9175					WATCH COMM	78	899	0600-1400
2	00281	CUELLO BEATRICE	9173					FIELD LIEUT			DETAIL TO 112
2	00396	KUCHAR DONALD	9173					SUPV SERGEANT			
2	02309	DREW JR ALFONZO	9171					SUPV SERGEANT			
2	02018	ELDRIDGE JAMES	9171					SUPV SERGEANT	5464	810	0700-1530
2	01740	FITZGERALD PATRICK	9171					SUPV SERGEANT			
2	00860	GLASS BRIGID	9171					SUPV SERGEANT			
2	01036	HENNIGAN THOMAS	9171					SUPV SERGEANT			
2	01841	KNASIAK LAWRENCE	9171					SUPV SERGEANT			
2	01323	KULEKOWSKIS JAMES	9171					SUPV SERGEANT			
2	01301	TANDYN FRANCES	9171					SUPV SERGEANT			
2	02143	WARE HENRY	9171					SUPV SERGEANT			
2	14865	ANTKIEWICZ ELIZABETH	9161					2 MAN/CAR			
2	14985	MARTINEZ REYES	9161					1 MAN/CAR			
2	14384	BARTMAN RONALD	9161					1 MAN/CAR			
2	16641	BERG DENNIS	9161					1 MAN/CAR			
2	12668	BOYLE JEAN	9161					1 MAN/CAR	9124	831	0700-1530
2	18204	BRONSKI RAYMOND	9161					1 MAN/CAR	9194	815	0700-1530
2	16915	BROWN SCOTT	9161					1 MAN/CAR	8694	355	0500-1630
2	18812	BROWN WILLIAM	9161					1 MAN/CAR	9065	812	0800-1630
2	03525	BRZOZA ALAN	9161								

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ATTENDANCE & ASSIGNMENT RECORD
CHICAGO POLICE DEPARTMENT

UNIT

008 DISTRICT 008
3515 W 63RD STREETPAYROLL
NO. 1180

DATE 03 FEB 02

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WATCH	STAR NO.	NAME	PRESENT FOR DUTY	TITLE CODE	SOCIAL SECURITY	DAY OFF	ABSENCE EXPLANATION AND/OR COMP. TIME WORKED	ASSIGNMENT DESCRIPTION	CAR NO.	BEAT NO.	TEMPORARY CHANGE OF ASSIGNMENT OR ADDITIONAL ASSIGNMENT EXPLANATION
2	12064	BURNS JAMES	X	9161				1 MAN/CAR	870	81	C700-1530
2	06136	CARTER MICHAEL	X	9161				1 MAN/CAR			
2	07442	DELLA VICTOR	X	9161				1 MAN/CAR			
2	16208	DESKOVICH PETER	X	9161				1 MAN/CAR	802	802	0600-1400
2	14032	DOUGHERTY WILLIAM	X	9161				1 MAN/CAR			
2	02964	DYER-NEELY DIANE	X	9161				1 MAN/CAR	472	446	1000-1830
2	15285	ERCHUL DANIEL	X	9161				1 MAN/CAR			382L
2	06383	ESTER MICHAEL	X	9161				1 MAN/CAR			
2	12754	EVANS DIANE	X	9161				1 MAN/CAR			
2	05340	FLAHERTY JANIS	X	9161				1 MAN/CAR			
2	05621	FUDACZ DAVID	X	9161				1 MAN/CAR	838	835	0700-1530
2	04197	GILLIAM MANUEL	X	9161				1 MAN/CAR			
2	04040	GREER HOWARD	X	9161				1 MAN/CAR			
2	09072	GROARK MICHAEL	X	9161				1 MAN/CAR			
2	07023	HALERZ JOHN	X	9161				1 MAN/CAR	881	841	0800-1630
2	11415	HANSEN NEIL	X	9161				1 MAN/CAR			
2	07291	HAWTHORNE CASSANDRA	X	9161				1 MAN/CAR	883	811	0700-1530
2	08036	HENRY THOMAS	X	9161				1 MAN/CAR	888	856	1000-1830
2	17385	HOLLAND SHERECE	X	9161				1 MAN/CAR	867	813	0700-1530
2	08915	IVKOVICH SUSAN	X	9161				1 MAN/CAR			
2	15735	JOHNSON CHARLES	X	9161				1 MAN/CAR			
2	04071	JOSEPHS KENNETH	X	9161				1 MAN/CAR			

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ATTENDANCE & ASSIGNMENT RECORD
CHICAGO POLICE DEPARTMENT

UNIT

008 DISTRICT 008
3515 W 63RD STREET

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PAYROLL
NO. 1180

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DATE 03 FEB 02

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STAR NO.	NAME	TITLE	SOCIAL SECURITY	ASSIGNMENT DESCRIPTION	CAR NO.	BEAT NO.	TEMPORARY CHANGE OF ASSIGNMENT OR ADDITIONAL ASSIGNMENT EXPIRATION DATE
2 02834	KAPUGI STEVEN	9161		1 MAN/CAR	8938	844	1000-1830
2 11096	KENNEDY LINDA	9161		1 MAN/CAR			
2 19283	KLEIDON CHARLES	9161		1 MAN/CAR			
2 19967	KOMAN MATTHEW	9161		1 MAN/CAR			
2 18744	KOSAKA DEBORAH	9161		1 MAN/CAR			
2 14206	KURLOWHICZ PHILLIP	9161		1 MAN/CAR			
2 05549	MAHONEY RICHARD	9161		1 MAN/CAR	8791	833	0700-1530
2 11758	MAJERCZYK GLORIA	9161		1 MAN/CAR	7912	853	0800-1630
2 10264	MC AULIFFE TIMOTHY	9161		1 MAN/CAR	684	872	0800-1630
2 07054	MC COURT JOSEPH	9161		1 MAN/CAR	8786	877	0800-1630
2 19457	MURLASITS EILEEN	9161		1 MAN/CAR	844	875	0700-1530
2 15670	NEMCOWIC JOSEPH	9161		1 MAN/CAR	8421	852	1000-1830
2 09478	NESIEWICZ JOSEPH	9161		1 MAN/CAR			
2 19123	NOVAK ANTHONY	9161		1 MAN/CAR			
2 07789	O NEILL MAUREEN	9161		1 MAN/CAR			
2 15725	ORLANDO PHILLIP	9161		1 MAN/CAR			
2 11449	PACHURA RICHARD	9161		1 MAN/CAR			
2 03406	PIEHTA RONALD	9161		1 MAN/CAR	8724	873	0700-1530
2 17295	PIONKE JOSEPH	9161		1 MAN/CAR			
2 03171	PUZAS LARRY	9161		1 MAN/CAR			
2 15974	QUINN TIMOTHY	9161		1 MAN/CAR			
2 17562	REIFF SCOTT	9161		1 MAN/CAR	8360	843	0800-1630

ATTENDANCE & ASSIGNMENT RECORD
CHICAGO POLICE DEPARTMENT

UNIT

008 DISTRICT 008
3515 W 63RD STREETPAYROLL
ND. 1180

DATE 03 FEB 02

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WATCH	STAR NO.	NAME	TITLE	SOCIAL SECURITY	ASSIGNMENT DESCRIPTION	CAR NO.	BEAT NO.	TEMPORARY CHANGE OF ASSIGNMENT OR ADDITIONAL ASSIGNMENT EXPLANATION
2	12533	RICHARDS EDWARD	9161		1 MAN/CAR			
2	12425	RUMSFELD ALMA	9161		1 MAN/CAR			RED 0520-1300
2	03811	SCUMACI JOSEPH	9161		1 MAN/CAR			834 0800-1630
2	11436	SIEDLECKI MAUREEN	9161		1 MAN/CAR			
2	06400	SPIEGEL ROBERT	9161		1 MAN/CAR			034 0600-1630
2	02886	STEPHANY RAYMOND	9161		1 MAN/CAR			
2	18519	SWITALSKI DANIEL	9161		1 MAN/CAR			
2	15802	TOCK PETER	9161		1 MAN/CAR			634 872 0800-1630
2	06729	TREMBLE CURTIS	9161		1 MAN/CAR			771 832 0500-1630
2	08136	TRENDLE CHUCK	9161		1 MAN/CAR			
2	04565	VENEGAS CARMELA	9161		1 MAN/CAR			
2	09693	VILLA MICHAEL	9161		1 MAN/CAR			
2	06821	WILLIAMS ELIZABETH	9161		1 MAN/CAR			772 802 0600-1400
2	06829	ZDZIARSKI ROBERT	9161		1 MAN/CAR			443 814 0800-1630
2	18596	ZLOTKOWSKI JEFFREY	9161		1 MAN/CAR			
2	13769	GAJDOZINSKI WAYNE	9161		NEIGHBOR RELATIO			
2	11649	ODEN ANGELA	9161		NEIGHBOR RELATIO			
2	07935	WACH ROSEMARIE	9161		NEIGHBOR RELATIO			
2	13356	WALTEMATH MARYANN	9161		NEIGHBOR RELATIO			
2	07851	WIBEL FRANCINE	9161		SECRETARY			
2	08020	SULLIVAN JOHN	9161		PO IN TRAINING			856 824 0800-1630
2	08405	ZIA GREGORY	9161		PO IN TRAINING			8038 835 0800-1630

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ATTENDANCE & ASSIGNMENT RECORD
CHICAGO POLICE DEPARTMENT

UNIT

008 DISTRICT 008
3515 W 63RD STREET

PAYROLL
NO. 1180

DATE 03 FEB 02

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CR#278101 Page: 000152

NOTIFICATION RE: C.R. INVESTIGATION
CHICAGO POLICE DEPARTMENT

DATE 07 Feb 2002 CR NO 278101

☐ INITIAL NOTIFICATION	REGARDING	☒ ACCUSED	☐ COMPLAINANT	☐ WITNESS	☐ VICTIM
☒ C.R. INVESTIGATION UPDATE		☒ IDENTIFIED	☐ ADDITIONAL IDENTIFIED	☐ CORRECTED	☐ DELETED

INSTRUCTIONS Hand print or type. Prepare one form per person.. original only. Complete all boxes if applicable.
For CPD members, list unit of assignment/detail in address* box, and complete the CPD member section. Completed form is to be forwarded by the unit commanding officer to Records Section, I.A.D.

NAME - LAST		FIRST		M.I.	SEX/RACE	DATE OF BIRTH
MCGIVNEY		Michael			m/w	[REDACTED] 51
ADDRESS*				FLOOR/APT NO. CITY-STATE	ZIP	TELEPHONE
Unit 008						☐ HOME ☐ WORK
CPD MEMBER	STAR NO.	RANK	SOCIAL SECURITY NO.	DUTY STATUS	EMPLOYEE NO.	DATE OF APPT
	342	Lt.	[REDACTED]	☒ ON ☐ OFF	[REDACTED]	22 Oct 03
COMMENTS						

APPROVED - UNIT COMMANDING OFFICER	PREPARED BY - SIGNATURE, RANK.	STAR NO.	SOCIAL SECURITY NO.	UNIT.
M. Duffy	Wette 0010 Inv.	210	[REDACTED]	113

CPD-44.217 (Rev. 9/83)

C.D. 278101
33

NOTIFICATION RE: C.R. INVESTIGATION
CHICAGO POLICE DEPARTMENT

DATE 07 Feb 2002 CR NO 278101

☐ INITIAL
NOTIFICATION

REGARDING

☒ ACCUSED

☐ COMPLAINANT

☐ WITNESS

☐ VICTIM

☒ C.R. INVESTIGATION
UPDATE

☒ IDENTIFIED

☐ ADDITIONAL
IDENTIFIED

☐ CORRECTED

☐ DELETED

INSTRUCTIONS Hand print or type. Prepare one form per person.. original only. Complete all boxes if applicable.
For CPD members, list unit of assignment/detail in address* box, and complete the CPD member
section. Completed form is to be forwarded by the unit commanding officer to Records Section, I.A.D.

NAME - LAST VASQUEZ		FIRST Vidal	M.I.	SEX/RACE M/H	DATE OF BIRTH [REDACTED] 61		
ADDRESS* Unit 008		FLOOR/APT. NO. CITY-STATE ZIP			TELEPHONE ☐ HOME ☐ WORK		
CPD MEMBER	STAR NO. 2664	RANK Sgt.	SOCIAL SECURITY NO. [REDACTED]	DUTY STATUS ☒ ON ☐ OFF	EMPLOYEE NO. [REDACTED]	DATE OF APPT 08 Sep 86	☐ PAX ☐ BELL
COMMENTS							

APPROVED - UNIT COMMANDING OFFICER

PREPARED BY - SIGNATURE, RANK,

STAR NO.

SOCIAL SECURITY NO.

UNIT

CPD-44.217 (Rev. 9/83)

C.D. 278101
34

REQUEST FOR INTERVIEW/STATEMENT/REPORT
CHICAGO POLICE DEPARTMENT

DATE
07 February 2002

TO: NAME RANK STAR NO. UNIT
MCGIVNEY, Michael Lt. 342 008
VASQUEZ, Vidal Sgt. 2664 008
SUPERVISOR TO ACCOMPANY ABOVE PERSONNEL ☐ YES ☒ NO

YOUR APPEARANCE IS REQUIRED

AT ☐ INTERNAL AFFAIRS DIVISION 3510 S. MICHIGAN, 5TH FLOOR PAX 0610
☒ OFFICE OF PROFESSIONAL STANDARDS 10 W. 35TH Street, 12TH Floor PAX 0113
ON-DATE 14 February 2002 TIME 0600
AS ☒ ACCUSED ☐ WITNESS ☐ VICTIM
FOR ☐ INTERVIEW ☒ FORMAL STATEMENT ☐ SUBMISSION OF A TO-FROM SUBJECT REPORT
CONCERNING - NATURE OF COMPLAINT
Allegations of misconduct.

REFERENCE - DATE TIME LOCATION RD NO. CB NO. OTHER
03 February 2002 0230 [REDACTED] HH165372 NONE

YOU ARE TO REPORT TO

RANK NAME STAR NO. PAX
Inv. Ivette Cotto 210 0113

NOTE: The member MUST notify the investigator of his/her inability to keep this scheduled appointment.

NOTIFICATION MADE TO COMMANDER	UNIT 008	DATE 07 Feb 02	TIME 1600
NOTIFICATION MADE BY Inv. Ivette Cotto #210	UNIT 113	HOW Fax and Mail	
APPROVED <i>M. Duff</i>	SIGNATURE OF REQUESTER <i>Ivette M. Cotto</i>		

☒ Copy to unit/watch commander: If the requested member is not available due to being on medical, furlough, transfer, etc., YOU will notify I.A.D/O.P.S. immediately.

CPD-44.103 (REV. 12/93)

COMPLAINT REGISTER NO.
278101
ATTACHMENT NO.

35

OFFICE OF PROFESSIONAL STANDARDS

13 Feb 2002
CR.278101

TO: Chief Administrator
Office of Professional Standards

FROM: Inv. Ivette M. Cotto #210

SUBJECT: PDT INFORMATION

On 13 Feb 02, at 1040 hours, the R/I contacted the Office of Emergency Communication's PDT section and spoke with Fran Miller. Upon inquiry, Ms. Miller stated that all PDT records from 03 Feb 02 have been purged.


Inv. Ivette M. Cotto #210

Approved:

O.P.S. Supervisor

C. R. 278101
36

NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT

GIVEN TO MEMBER
DATE TIME

14 Feb 02 0625

NAME OF ACCUSED MCGIVNEY, Michael	RANK Lt	STAR NO 342	UNIT OF ASSIGNMENT 008
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The law provides that if you are to be charged with a criminal offense or if your separation from the Department will be sought, you are to be advised in writing of the specific illegal or improper acts alleged against or attributed to you.

Furthermore, Department policy provides that you have a right to be advised in writing of the names of complainants and allegations against you prior to any questioning of you concerning the allegation regardless of the nature of the allegation and even if the allegation is such that it will not result in the filing of criminal charges or the filing of separation charges.

Accordingly, you are hereby advised that the following allegations have been attributed to you:

COMPLAINANTS/VICTIMS:

1. Captain Robert EVANS, Star #70, Unit 008

2. OPS Investigator Ivette Cotto #210

3.

4.

It is alleged that on 03 February 2002, at approximately 0251 hours, [REDACTED] you: responded to the scene of shots fired by a Department member and failed to ensure that the proper notifications were made; failed to ensure that the scene of the shots fired was protected; failed to conduct a preliminary investigation into the shots fired by a Department member; failed to ensure that PPO Karen Magers submitted a written report about her knowledge of the shots fired; failed to submit a report summarizing the facts of the shots fired incident; failed to obtain a CR number and conduct a thorough preliminary investigation into the allegations of misconduct; failed to have a Breathalyzer administered to PO Michael Tracy #342; and failed to ensure that a hospitalization case report was completed after PO Michael Tracy #342 was transported to Rush Presb-St. Luke's Hospital.

The undersigned hereby acknowledges receipt in writing of the charges or allegations against him.

Signature

[Handwritten Signature]

WITNESSES

[Handwritten Signature]

PREPARE IN DUPLICATE:

Original to investigator's file
Duplicate to affected member

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO. 37

ADMINISTRATIVE PROCEEDINGS RIGHTS
(Statutory)
CHICAGO POLICE DEPARTMENT

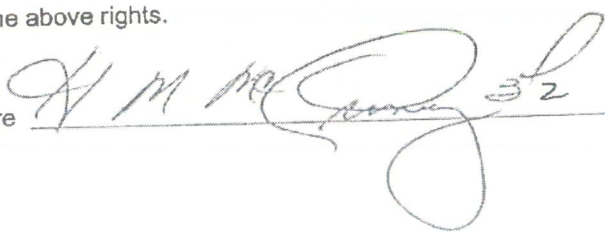
GIVEN TO MEMBER
DATE 14 FEB 02 TIME 0625

NAME OF ACCUSED MCGIVNEY, Michael	RANK Lt	STAR. NO. 342	UNIT OF ASSIGNMENT 008
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The law provides that you are to be advised of the following:

1. Any admission or statement made by you in the course of this hearing, interrogation or examination may be used as the basis for your suspension or as the basis for charges seeking your removal or discharge or suspension in excess of 30 days.
2. You have the right to counsel of your choosing to be present with you to advise you at this hearing, interrogation or examination and you may consult with him as you desire.
3. You have a right to be given a reasonable time to obtain counsel of your own choosing.
4. You have no right to remain silent. You have an obligation to truthfully answer questions put to you. You are advised that your statements or responses constitute an official police report.
5. If you refuse to answer questions put to you, you will be ordered by a superior officer to answer the questions.
6. If you persist in your refusal after the order has been given to you, you are advised that such refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and will serve as a basis for which your discharge will be sought.
7. You are further advised that by law any admission or statement made by you during the course of this hearing, interrogation or examination and the fruits thereof cannot be used against you in a subsequent criminal proceeding.

The undersigned hereby acknowledges that he was informed of the above rights.

Signature 

WITNESS



DISTRIBUTION
COMPLAINT REGISTER INVESTIGATION

Original to Investigator's file
Duplicate to affected member

CPD-44 105(Rev. 10/93)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO. 38

WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL
CHICAGO POLICE DEPARTMENT

NAME OF ACCUSED MCGIVNEY, Michael	RANK Lt	STAR NO 342	UNIT OF ASSIGNMENT 008
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WAIVER OF COUNSEL

☐

I, the undersigned, hereby acknowledge that I have received and read the charges/allegations against me and I knowingly and voluntarily wish to proceed with the hearing, examination or interrogation without having counsel of my own choosing present to advise me during this hearing, examination or interrogation.

Date-Time _____ Signature _____

☐

REQUEST TO SECURE LEGAL COUNSEL

I, the undersigned, having been advised of my right to counsel of my own choosing at all hearings, examinations and interrogations in connection with the charges/allegations against me which have been given to me in writing and receipt of which is hereby acknowledge, elect to secure the services of counsel and agree to proceed with said hearing, examination or interrogation at

0600 hours, on 21 February, 20 02, in Room OPS 12th floor

Chicago, Illinois, at which time said hearing, examination or interrogation shall be commenced. By placing my signature upon this statement, I affirm my wish to secure said counsel and agree to comply with Department hearing, examination or interrogation scheduled on the date aforesaid.

Date-Time 14 FEB 02 0625 Signature H M McGivney 342

WITNESS

J. P. [Signature]

DISTRIBUTION
COMPLAINT REGISTER INVESTIGATION

Original to investigator's file
Duplicate to affected member

CPD-44 106 (Rev. 10/93)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO. 29

NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT

GIVEN TO MEMBER
DATE TIME

4 Feb 02 0636

NAME OF ACCUSED VASQUEZ, Vidal	RANK Sgt	STAR NO 2664	UNIT OF ASSIGNMENT 008
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The law provides that if you are to be charged with a criminal offense or if your separation from the Department will be sought, you are to be advised in writing of the specific illegal or improper acts alleged against or attributed to you.

Furthermore, Department policy provides that you have a right to be advised in writing of the names of complainants and allegations against you prior to any questioning of you concerning the allegation regardless of the nature of the allegation and even if the allegation is such that it will not result in the filing of criminal charges or the filing of separation charges.

Accordingly, you are hereby advised that the following allegations have been attributed to you:

COMPLAINANTS/VICTIMS:

1. Captain Robert EVANS, Star #70, Unit 008
2. OPS Investigator Ivette Cotto #210
- 3.
- 4.

It is alleged that on 03 February 2002, at approximately 0251 hours, [REDACTED] you: responded to the scene of shots fired by a Department member and failed to ensure that the proper notifications were made; failed to ensure that the scene of the shots fired was protected; failed to conduct a preliminary investigation into the shots fired by a Department member; failed to ensure that PPO Karen Magers submitted a written report about her knowledge of the shots fired; failed to submit a report summarizing the facts of the shots fired incident; failed to obtain a CR number and conduct a thorough preliminary investigation into the allegations of misconduct; failed to have a Breathalyzer administered to PO Michael Tracy #342; and failed to ensure that a hospitalization case report was completed after PO Michael Tracy #342 was transported to Rush Presb-St. Luke's Hospital.

The undersigned hereby acknowledges receipt in writing of the charges or allegations against him.

Signature

Sgt. Vidal Vasquez #2664

WITNESSES

J. P. [Signature]

PREPARE IN DUPLICATE:

Original to investigator's file
Duplicate to affected member

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO.

40

CPD-44 115(Rev. 5/89)

CR#278101 Page: 000160

ADMINISTRATIVE PROCEEDINGS RIGHTS
(Statutory)
CHICAGO POLICE DEPARTMENT

GIVEN TO MEMBER
DATE TIME

14 Feb 02 0630

NAME OF ACCUSED
VASQUEZ, Vidal

RANK
Sgt.

STAR. NO.
2664

UNIT OF ASSIGNMENT
008

The law provides that you are to be advised of the following:

1. Any admission or statement made by you in the course of this hearing, interrogation or examination may be used as the basis for your suspension or as the basis for charges seeking your removal or discharge or suspension in excess of 30 days.
2. You have the right to counsel of your choosing to be present with you to advise you at this hearing, interrogation or examination and you may consult with him as you desire.
3. You have a right to be given a reasonable time to obtain counsel of your own choosing.
4. You have no right to remain silent. You have an obligation to truthfully answer questions put to you. You are advised that your statements or responses constitute an official police report.
5. If you refuse to answer questions put to you, you will be ordered by a superior officer to answer the questions.
6. If you persist in your refusal after the order has been given to you, you are advised that such refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and will serve as a basis for which your discharge will be sought.
7. You are further advised that by law any admission or statement made by you during the course of this hearing, interrogation or examination and the fruits thereof cannot be used against you in a subsequent criminal proceeding.

The undersigned hereby acknowledges that he was informed of the above rights.

Signature

Sgt. Vidal Vasquez #2664

WITNESS

D. P. [Signature]

DISTRIBUTION
COMPLAINT REGISTER INVESTIGATION

Original to Investigator's file
Duplicate to affected member

CPD-44 105(Rev. 10/93)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO.

41

WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL
CHICAGO POLICE DEPARTMENT

NAME OF ACCUSED VASQUEZ, Vidal	RANK Sgt	STAR NO 2664	UNIT OF ASSIGNMENT 008
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WAIVER OF COUNSEL

☐

I, the undersigned, hereby acknowledge that I have received and read the charges/allegations against me and I knowingly and voluntarily wish to proceed with the hearing, examination or interrogation without having counsel of my own choosing present to advise me during this hearing, examination or interrogation.

Date-Time _____ Signature _____

☒

REQUEST TO SECURE LEGAL COUNSEL

I, the undersigned, having been advised of my right to counsel of my own choosing at all hearings, examinations and interrogations in connection with the charges/allegations against me which have been given to me in writing and receipt of which is hereby acknowledge, elect to secure the services of counsel and agree to proceed with said hearing, examination or interrogation at

0600 hours, on 21 February, 20 02, in Room OPS - 12th Floor

Chicago, Illinois, at which time said hearing, examination or interrogation shall be commenced. By placing my signature upon this statement, I affirm my wish to secure said counsel and agree to comply with Department hearing, examination or interrogation scheduled on the date aforesaid.

Date-Time 14 Feb 02 Signature Sgt. Vidal Vasquez #2664

WITNESS

J. P. [Signature]

DISTRIBUTION
COMPLAINT REGISTER INVESTIGATION

Original to investigator's file
Duplicate to affected member

CPD-44 106 (Rev. 10/93)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO. 42

SUPERVISOR'S MANAGEMENT LOG CHICAGO POLICE DEPARTMENT		SUPERVISOR'S NAME SGT. V. VASQUEZ		STAR NO. 2664	WATCH 1ST	UNIT / BEAT 810	VEHICLE NO. 8664	DATE & DAY 3 FEB 02
		TIME	LOCATION		TIME	LOCATION		
CALL NO. 810	NAME ENGELHARDT, Joseph	STAR NO. 4941	0210	ARCHER/CICERO		0300	5900 S RUTHERFORD	
OUTSIDE NO. 8843	NAME HAYMAN, Phillip	STAR NO. 6199	DAILY ASSIGNMENT ACTIVITY REPORT DEFICIENCIES				☒ LUNCH TAKEN	
PRIORITY PROBLEMS / DIRECTED MISSION ASSIGNED 0811-01-001 Garage Burglaries 51st - Archer/Central - Nagle								
CALL NO. 812	NAME DAVIS, MARK	STAR NO. 9016	0400	6118 S KILBOURN		0555	ARCHER/PULASKI	
OUTSIDE NO. 9065	NAME Krass, Rachel	STAR NO. 3362	DAILY ASSIGNMENT ACTIVITY REPORT DEFICIENCIES				☒ LUNCH TAKEN	
PRIORITY PROBLEMS / DIRECTED MISSION ASSIGNED 0812-01-002: Garage Burglaries, 59th -65th/Central-Sa yre								
CALL NO. 813	NAME RIMKUS, Michael	STAR NO. 14150	0355	6120 W 63 rd PL		0625	6300 S POSTER	
OUTSIDE NO. 9017	NAME KENNY, Susan	STAR NO. 19334	DAILY ASSIGNMENT ACTIVITY REPORT DEFICIENCIES				☒ LUNCH TAKEN	
PRIORITY PROBLEMS / DIRECTED MISSION ASSIGNED 0813-01-002: Burglaries, 55th-63rd/Pulaski-Knox								
CALL NO. 814	NAME WASHINGTON, Rodney	STAR NO. 14764	0350	ARCHER/LARAMIE		0450	6037 S KOLIN	
OUTSIDE NO. 8451	NAME WATKINS, Marie	STAR NO. 15281	DAILY ASSIGNMENT ACTIVITY REPORT DEFICIENCIES				☒ LUNCH TAKEN	
PRIORITY PROBLEMS / DIRECTED MISSION ASSIGNED 0814-01-001 Narcotics Activity, Leclaire Courts - 4500 -4600 Lacrosse to Laporte								
CALL NO. 815	NAME GAFFNEY, Thomas	STAR NO. 19958	0215	5700 S CROCKER		0315	6148 S RUTHERFORD	
OUTSIDE NO. 9124	NAME MC CULLOUGH, Marion	STAR NO. 1756	DAILY ASSIGNMENT ACTIVITY REPORT DEFICIENCIES				☒ LUNCH TAKEN	
PRIORITY PROBLEMS / DIRECTED MISSION ASSIGNED 0815-01-001: Garage burglaries, 47th-51st/Pulaski-Cicero								
CALL NO. 894	NAME ALMENDRAZ, SONIA	STAR NO. 15157	0310	7322 S RICHMOND		0610	7342 S RICHMOND	
OUTSIDE NO.	NAME	STAR NO.	DAILY ASSIGNMENT ACTIVITY REPORT DEFICIENCIES				☒ LUNCH TAKEN	
PRIORITY PROBLEMS / DIRECTED MISSION ASSIGNED								
CALL NO.	NAME	STAR NO.						
OUTSIDE NO.	NAME	STAR NO.	DAILY ASSIGNMENT ACTIVITY REPORT DEFICIENCIES				☐ LUNCH TAKEN	
PRIORITY PROBLEMS / DIRECTED MISSION ASSIGNED								
CALL NO.	NAME	STAR NO.						
OUTSIDE NO.	NAME	STAR NO.	DAILY ASSIGNMENT ACTIVITY REPORT DEFICIENCIES				☐ LUNCH TAKEN	
PRIORITY PROBLEMS / DIRECTED MISSION ASSIGNED								
CALL NO.	NAME	STAR NO.						
OUTSIDE NO.	NAME	STAR NO.	DAILY ASSIGNMENT ACTIVITY REPORT DEFICIENCIES				☐ LUNCH TAKEN	
PRIORITY PROBLEMS / DIRECTED MISSION ASSIGNED								

[illegible]

ATTACHMENT #

CHICAGO POLICE
DEPARTMENT

DAILY ASSIGNMENT ACTIVITY REPORT

BEAT # 811

WATCH 1

VEHICLE # 8843

DUTY HOURS 2300-0730

☒ BEAT

☐ RAPID RESPONSE

☐ FOOT

☐ TACT / GANG

☐ OTHER

☒ UNIFORM

☐ CIVILIAN DRESS

DATE 03 FEB 02

LIST AND RECORD ACTIONS AND RESULTS FROM DIRECTED MISSIONS.

BRIEF DESCRIPTION OF DIRECTED MISSION #1

LOCATION

BEAT

Problem Reference # (If Applicable)

GARAGE BURGLARIES

5751 ARCADE / CENTRAL HIGHWAY

811

02-002

ACTIONS TAKEN: NO CRIMINAL ACTIVITY OBSERVED AT ABOVE LOCATION AT THE FOLLOWING TIMES: 0100 HRS - 0115 HRS; 0215 HRS - 0230 HRS

ACTIONS VERIFIED: ☐ YES ☐ NO SERGEANT'S SIGNATURE:

BRIEF DESCRIPTION OF DIRECTED MISSION #2

LOCATION

BEAT

Problem Reference # (If Applicable)

ACTIONS TAKEN:

ACTIONS VERIFIED: ☐ YES ☐ NO SERGEANT'S SIGNATURE:

ORIGIN OF ASSIGNMENTS: OFFICE OF EMERGENCY COMMUNICATIONS (OEC), ON-VIEW (OV), SUPERVISOR (SUP), CITIZEN CONTACT (CC)

TYPE OF ASSIGNMENT

ORIGIN

LOCATION / ADDRESS
PLEASE NOTE IF OUT OF DISTRICT, CITY, OR STATE

ACTION TAKEN
ARREST, CITATION, CODE, ETC.

TIME ASSIGNED

TIME COMPLETED

AUTO ACCIDENT

OEC

44-164199

ARCHER / CIVERO

2343

0000

DISTURBANCE

OEC

6346 KOLIN

5B

0153

0200

LOCATION

BEAT

FOOT PATROL / PARK VISITATIONS
OBSERVATIONS (e.g., GRAFFITI, GANG ACTIVITY, etc.)

TIME STARTED

TIME ENDED

COURT ATTENDANCE DURING TOUR OF DUTY

TIME IN COURT

COURT BRANCH

DURING TOUR OF DUTY

OVER-TIME

OVERTIME HOURS WORKED

NATURE OF CASE

TIME ENDED / TIME RETURNED TO DUTY

HRS.

HRS.

278101

44

HRS.

HRS.

CPD-278101 Page: 000165

REQUEST FOR INTERVIEW/STATEMENT/REPORT
CHICAGO POLICE DEPARTMENT

DATE
01 March 2002

TO:	NAME	RANK	STAR NO.	UNIT
	ENGELHARDT, Joseph	PO	4941	008
	HAYMAN, Phillip	PO	6199	008

SUPERVISOR TO ACCOMPANY ABOVE PERSONNEL ☐ YES ☒ NO

YOUR APPEARANCE IS REQUIRED

AT ☐	INTERNAL AFFAIRS DIVISION 3510 S. MICHIGAN, 5 TH FLOOR PAX 0610	☒	OFFICE OF PROFESSIONAL STANDARDS 10 W. 35 TH Street, 12 TH Floor PAX 0113	ON-DATE	TIME
				07 March 2002	0630

AS ☐ ACCUSED ☒ WITNESS ☐ VICTIM

FOR ☐ INTERVIEW ☒ FORMAL STATEMENT ☐ SUBMISSION OF A TO-FROM SUBJECT REPORT

CONCERNING - NATURE OF COMPLAINT
Allegations of misconduct.

REFERENCE - DATE	TIME	LOCATION	RD NO.	CB NO.	OTHER
03 February 2002	0230	[REDACTED]	HH165372	None	

YOU ARE TO REPORT TO

RANK	NAME	STAR NO.	PAX
Inv.	Ivette Cotto	210	0113

NOTE: The member **MUST** notify the investigator of his/her inability to keep this scheduled appointment.

NOTIFICATION MADE TO COMMANDER	UNIT 008	DATE 01Mar 02	TIME 0700
NOTIFICATION MADE BY Inv. Ivette Cotto #210	UNIT 113	HOW Fax and Mail	
APPROVED <i>M. Daffy</i>	SIGNATURE OF REQUESTER <i>Ivette M. CAB</i>		

☒ Copy to unit/watch commander: If the requested member is not available due to being on medical, furlough, transfer, etc., YOU will notify I.A.D/O.P.S. immediately.

CPD-44.103 (REV. 12/93)

COMPLAINT REGISTER NO.
278101
ATTACHMENT NO.

57

GROUP / SCHOOL NAME		COMMUNITY MEETING / CITIZEN - BUSINESS CONTACTS & SCHOOL VISITATIONS		TIME	TIME										
		LOCATION	CONTACT PERSON (if applicable)	STARTED	ENDED										
LOCATION		DETAILS / SPECIAL ASSIGNMENTS		HOURS EXPENDED											
		IN DISTRICT	OUT OF DISTRICT												
SERVICE DESCRIPTION		UNRESOLVED CAPS SERVICE REQUESTS		SERVICE REQ.	DATE OF										
		LOCATION	BEAT	NO. (if known)	ORIGINAL REQUEST										
VACANT & OPEN BUILDING(S) LOCATION(S)		OPEN	VACANT	SECURE	SECURITY PERSONNEL ON PREMISE? ☒	BEAT	WAS CHECK LIST COMPLETED? ☒								
		☒	☒	☒	☐ YES ☐ NO		☐ YES ☐ NO								
					☐ YES ☐ NO		☐ YES ☐ NO								
					☐ YES ☐ NO		☐ YES ☐ NO								
					☐ YES ☐ NO		☐ YES ☐ NO								
ARRESTS															
☒ If Problem / Mission Related	ARRESTEE'S NAME	ADDRESS OF ARREST / HOME ADDRESS	SEX	RACE	AGE	CHARGES	RD#	CB#	BEAT OF ARREST						
☒															
ENFORCEMENT / CHARGES PLACED / OTHER POLICE SERVICE															
	HOMI-CIDE	SEX OFF.	ROB-BERY	BAT-TERY	AS-SAULT	BURG-LARY	THEFT	AUTO THEFT	ARSON	VICE	U.U.W.	OTHER FELONIES	OTHER MISDE-MEANORS	D/C A.N.O.V.'s	ARRESTS
ADULTS															
JUVENILES															
TOTAL															
	TRAFFIC CITATIONS		CITY VEH. STICKERS	BURGLAR ALARM CITATIONS	PARKERS	TOWS	C.T.A. CHECKS	SCHOOL ABSENTEES / CURFEWS	FIELD CONTACT CARDS	CAPS SERVICE REQUESTS	RECOVERED GUN / AUTOS				
	HAZARD	NON HAZARD	ISSUED / CHECKS			SNOW / OTHER									
TOTAL															
REPORTING OFFICER'S NAME (PRINT)		STAR NO.	DATE	REPORTING OFFICER'S SIGNATURE											
P. HAYMAN		6199	03FEB02	[Signature]											
REPORTING OFFICER'S NAME (PRINT)		STAR NO.	DATE	REPORTING OFFICER'S SIGNATURE											
J. ENGELHARDT		4941	03FEB02	[Signature]											
* REPORTING OFFICER'S NAME (PRINT)		STAR NO.	DATE	REPORTING OFFICER'S SIGNATURE											
SUPERVISING SERGEANT'S SIGNATURE		STAR NO.	DATE	FIELD/ACT LIEUTENANTS OR WATCH COMMANDER'S SIGNATURE											
[Signature]		2604	3FEB02	[Signature]											

NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT

GIVEN TO MEMBER
DATE TIME

21 Feb 02 0600

NAME OF ACCUSED
VASQUEZ, Vidal

RANK
Sgt.

STAR NO
2664

UNIT OF ASSIGNMENT
008

The law provides that if you are to be charged with a criminal offense or if your separation from the Department will be sought, you are to be advised in writing of the specific illegal or improper acts alleged against or attributed to you.

Furthermore, Department policy provides that you have a right to be advised in writing of the names of complainants and allegations against you prior to any questioning of you concerning the allegation regardless of the nature of the allegation and even if the allegation is such that it will not result in the filing of criminal charges or the filing of separation charges.

Accordingly, you are hereby advised that the following allegations have been attributed to you:

COMPLAINANTS/VICTIMS:

1. Captain Robert EVANS, Star #70, Unit 008
2. OPS Investigator Ivelte M. Cotto #210
- 3.
- 4.

It is alleged that on 03 February 2002, at approximately 0251 hours, at [REDACTED] you: responded to the scene of shots fired by a Department member and failed to ensure that the proper notifications were made; failed to ensure that the scene of the shots fired was protected; failed to conduct a preliminary investigation into the shots fired by a Department member; failed to ensure that PPO Karen Magers submitted a written report about her knowledge of the shots fired; failed to submit a report summarizing the facts of the shots fired incident; failed to obtain a CR number and conduct a thorough preliminary investigation into the allegations of misconduct; failed to have a Breathalyzer administered to PO Michael Tracy #14349; and failed to ensure that a hospitalization case report was completed after PO Michael Tracy #14349 was transported to Rush Presb-St. Luks' Hospital.

The undersigned hereby acknowledges receipt in writing of the charges or allegations against him.

Signature

Sgt. Vidal Vasquez #2664

WITNESSES

Ivelte M. Cotto

[Signature]

PREPARE IN DUPLICATE:

Original to investigator's file

Duplicate to affected member

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO.

45

CPD-44 115(Rev. 5/89)

ADMINISTRATIVE PROCEEDINGS RIGHTS
(Statutory)
CHICAGO POLICE DEPARTMENT

GIVEN TO MEMBER
DATE TIME

21 Feb 07 0600

NAME OF ACCUSED
VASQUEZ, Vidal

RANK
Sgt.

STAR. NO.
2664

UNIT OF ASSIGNMENT
008

The law provides that you are to be advised of the following:

1. Any admission or statement made by you in the course of this hearing, interrogation or examination may be used as the basis for your suspension or as the basis for charges seeking your removal or discharge or suspension in excess of 30 days.
2. You have the right to counsel of your choosing to be present with you to advise you at this hearing, interrogation or examination and you may consult with him as you desire.
3. You have a right to be given a reasonable time to obtain counsel of your own choosing.
4. You have no right to remain silent. You have an obligation to truthfully answer questions put to you. You are advised that your statements or responses constitute an official police report.
5. If you refuse to answer questions put to you, you will be ordered by a superior officer to answer the questions.
6. If you persist in your refusal after the order has been given to you, you are advised that such refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and will serve as a basis for which your discharge will be sought.
7. You are further advised that by law any admission or statement made by you during the course of this hearing, interrogation or examination and the fruits thereof cannot be used against you in a subsequent criminal proceeding.

The undersigned hereby acknowledges that he was informed of the above rights.

Signature

Sgt. Vidal Vasquez #2664

WITNESS

Shirley M. Craig
[Signature]

DISTRIBUTION
COMPLAINT REGISTER INVESTIGATION

Original to investigator's file
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CPD-44 105 (Rev. 10/93)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO.

46

WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL
CHICAGO POLICE DEPARTMENT

NAME OF ACCUSED VASQUEZ, Vidal	RANK Sgt	STAR NO 2664	UNIT OF ASSIGNMENT 008
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☒ WAIVER OF COUNSEL

I, the undersigned, hereby acknowledge that I have received and read the charges/allegations against me and I knowingly and voluntarily wish to proceed with the hearing, examination or interrogation without having counsel of my own choosing present to advise me during this hearing, examination or interrogation.

Date-Time 21 Feb 09 Signature Sgt. Vidal Vasquez

☐ REQUEST TO SECURE LEGAL COUNSEL

I, the undersigned, having been advised of my right to counsel of my own choosing at all hearings, examinations and interrogations in connection with the charges/allegations against me which have been given to me in writing and receipt of which is hereby acknowledged, elect to secure the services of counsel and agree to proceed with said hearing, examination or interrogation at

_____ hours, on _____, 20_____, in Room _____

_____ Chicago, Illinois, at which time said hearing, examination or interrogation shall be commenced. By placing my signature upon this statement, I affirm my wish to secure said counsel and agree to comply with Department hearing, examination or interrogation scheduled on the date aforesaid.

Date-Time 21 Feb 09 Signature Sgt. Vidal Vasquez

WITNESS
Det. M. CATO

DISTRIBUTION
COMPLAINT REGISTER INVESTIGATION

Original to Investigator's file
Duplicate to affected member

CPD-44 106(Rev. 10/93)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO. 47

The following is in essence but not verbatim a summary statement taken in question and A format of the Accused Sergeant Vidal Vasquez, #2664, assigned to Unit 008, relative to the allegations that on 03 February 2002, at approximately 0251 hours, at the location of [REDACTED] he failed to conduct a thorough investigation.

Statement taken at: Office of Professional Standards
10 West 35th Street, Chicago, IL

Date and time: 21 February 2002, 0600 hours

Questioned and typed by: Investigator Ivette M. Cotto#210

Witnessed by: Investigator Kristi M. Lyons #232

Q What is your name, star and unit of assignment?

A Vidal Vasquez, Star # 2664, Unit 008

Q What is your Social Security Number?

A [REDACTED]

Q What is your age and date of birth?

A 40, [REDACTED] 61

Q What is your Date of Appointment to the Department?

A 08 Sep 86

Q How long have you been assigned to your present unit?

A Eight months

Q Have you been advised in writing of the allegations made against you, the name of the complainant(s), the date and time of the incident, and your Administrative Rights?

A Yes

Q Are you prepared at this time to provide a statement without counsel?

A Yes

Ivette Cotto #210
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Sgt. Vidal Vasquez #2664

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Q Are you aware that this statement has the standing of an official Department Report and that any deviation from the truth could result in additional charges being placed against you?

A Yes

Q What was your duty status and assignment on 03 February 2002, at 0251 hours?

A I want to preface this statement by stating I am not giving this statement voluntarily, but under duress. I am only giving this statement at this time because the Department's Administrative Rights advises me I must give a statement or I could be fired from my job if I refuse.

Working Beat 810, 8th District.

Q On 03 February 2002, at approximately 0251 hours, you responded to the location of [REDACTED], correct?

A That is correct.

Q Why did you respond to that location?

A I received a PDT message from the 8th District desk of a police man shooting up his house at that location.

Q Who sent you that PDT message?

A I'm not exactly sure who sent it but I would say Sgt. Henke, the desk sergeant.

Q What other information did you received prior to your arrival at [REDACTED]

A That's all that I remember. There was more information on there but I don't remember.

Q Other than yourself, who else received with this PDT message?

A No one that I know of.

Q What happened upon your arrival at [REDACTED]

A On the way there, I saw Beat 811 at an intersection on the way there and I motioned him to follow me to that location. Upon arrival, I knocked on the door that was already opened. A young female now known as PPO Karen Magers opened the door for me. As soon as she opened the door, she handed me a semi-automatic pistol in a holster, unloaded with no clip. She held the clip in her other hand.

Handwritten signature: Albetto Corto

Handwritten signature: Sgt. Vidal Vasquez #2664

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Q What did PPO Magers tell you?

A At that point in time she didn't say anything and I asked her if I could go in.

Q At this time, where was Beat 811?

A There were behind me.

Q So when you arrived at the door PPO Magers handed you the semi-automatic and clip but stated nothing, Correct?

A That's right.

Q When you asked PPO Magers if you could come inside, what happened?

A She led me in the house and at that point in time, I asked her what happened. She pointed to Officer Tracy, who was sitting at the kitchen table, he had his head buried in his hands and he was crying at the time. I asked her again what happened, she told me that her live-in boyfriend, Tracy, had been calling her all day long stating that he was going to kill himself. He said that he had no reason to live, he wanted to commit suicide, he was going to shoot himself, she didn't love him anymore, that they were breaking up and there was no reason to live.

Q Did you hear Officer Tracy say these things or is this related to you by PPO Magers?

A This is related to me by PPO Magers.

Q Where was Beat 811 at this time?

A They were still at the doorway, inside foyer of the house.

Q Approximately how far away are they from you?

A About five feet.

Q Where exactly is the kitchen situated in this residence?

A Immediately as you enter the front door, you enter the living room, then immediately to the west of there is the kitchen area.

Q While PPO Magers was telling you these things what was Officer Tracy doing?

A Just sitting at the table crying with his head buried in his hands.

Q At this point while PPO Magers is relating what Officer Tracy told her had you had any verbal contact with Officer Tracy?

A Not yet.

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Q And according to PPO Magers, when did Officer Tracy tell her that he wanted to kill himself?

A All day long. That he must've called her twelve to fifteen times all day.

Q Once PPO Magers related to you what Officer Tracy had told her, what did you do?

A I informed her that I was informed that there were shots fired in the house and if in fact this was true was anyone hurt. At that point in time, she said that she thinks he shot his gun in the house sometime during the day but she did not know when. She had been gone since the night before.

Q When you observed Officer Tracy did you notice any alcohol around him?

A Yes

Q Where was the alcohol?

A There was a bottle of hard liquor at the table he was seated at with a glass semi-filled and I am assuming with the same liquid.

Q Was the bottle of liquor opened?

A Yes

Q When you observed PPO Magers, what was her state?

A She was calm, cool and collective. She wasn't scared or worried. Her only concern at that time was that she was going to lose her job.

Q Prior to this incident, did you know or have any contact with PPO Magers?

A No

Q Prior to this incident, did you know or have any contact with Officer Tracy?

A No

Q Why did PPO Magers think that Officer Tracy may have fired his weapon inside the residence?

A Because there were bullet holes throughout the house.

Q Did you observe these bullet holes?

A Yes, I did.

Q Where were they located?

A Throughout the house.

*James Lyons
Shirley Cato*

Sgt. Vidal Vasquez #2664

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Q Approximately how many did you observe?
A Approximately nine but PPO Magers couldn't tell me which were old or new bullet holes from previous incidents months past.

Q Did PPO Magers tell you what were the past bullet holes from?
A She said accidental shootings.

Q Did PPO Magers elaborate on the accidental shootings?
A Yes, she said that they were done when he was cleaning in his gun.

Q When did this occur?
A She don't know. She couldn't give me a date.

Q Did PPO Magers tell you how many times he shot inside the residence from cleaning the gun prior to this incident?
A She may have said once or twice.

Q Did you walk through the residence to observe the bullet holes?
A Yes

Q Did PPO Magers guide you through the residence?
A Yes

Q Did you go outside to observe bullet holes?
A Yes

Q Did you observe any shell casings?
A No

Q Where was Beat 811 while PPO Magers was showing you the bullet holes?
A During the time I was interviewing PPO Magers, I interrupted for a couple of minutes to try to speak to Officer Tracy. At that point in time, I realized that he was in a complete drunken stupor, he could barely speak, so I asked him to get up from his chair, in the hopes that he could and he did, I escorted him to the living room and had him sit on the sofa. I instructed Beat 811 to stay with him and he is not to leave that spot until I come back and I am done with my investigation. Beat 811 remained in the living room the whole time.

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Q So prior to PPO Magers pointing out to where the bullet holes were Officer Tracy was told to go to the living room. Is this correct?

A Yes

Q When you told Officer Tracy to go to the living room, what did he say?

A Nothing. Stumbled over to the living room, still crying and sobbing. He was speaking but he wasn't coherent. He wasn't violent.

Q What was Officer Tracy's state at this time?

A He was in a drunken stupor, incoherent and crying.

Q Could you smell alcoholic beverage from Officer Tracy?

A Yes

Q So there was no doubt in your mind that Officer Tracy was intoxicated. Correct?

A That is correct.

Q What weapon was used to shoot up inside the residence?

A I don't know. It was never really determined at that time which gun was used to shoot up the house.

Q When you received the weapon from PPO Magers, did she tell you where it came from?

A I think she said that it was in the kitchen.

Q Why did PPO Magers hand you the weapon?

A She said that she found it in the kitchen.

Q So when PPO Magers answered the door and handed you the weapon, did you determine at this point why she was giving it to you?

A I made an assumption that it was related to the shots being fired in the house according to the PDT

Q When PPO Magers answered the door, did she identify herself?

A Yes she did.

Q What did she say?

A I think she said that she was a PPO in the academy.

Antilagos
Det. C.A.S.

Sgt. Vidal Vasquez #2664

Q How long did it take PPO Magers to walk you through the house?
A Within four minutes.

Q After the walk through, what happened next?
A I asked her if she witnessed the firing of the gun and the shooting. She said no, she didn't know when it happened and that she was not home until the previous night.

Q Did PPO Magers tell you how she came about to find out that Officer Tracy had fired shots inside the residence?
A After being called so many times by him by saying that he was going to commit suicide and related things to kill himself, she said that she better come home to make sure that he didn't shoot himself or hurt somebody.

Q So according to PPO Magers, she had received several calls throughout the day of Officer Tracy threatening to hurt himself. Is this correct?
A Yes. More than a dozen all day long.

Q Other then PPO Magers and Officer Tracy were there any other person(s) inside the residence?
A At that point, in time I asked her since she didn't witness it if anyone that was home that could have witnessed it or could be hurt, or anyone else inside the house that I should know about. She said there was no body else in the house all day as far as she long. She does have an eight year old son but he was not there at that time or hasn't been there all day long.

Q Where was the son?
A I don't remember where she said he was.

Q To your knowledge, is Officer Tracy the father of PPO Magers' son?
A She said that Officer Tracy was not the father.

Q After you asked PPO Magers if she witnessed it and she said no and that neither her son witnessed it, what happened next?
A I asked her if he threatened her in any way, or threatened anyone else with shooting them to which she responded no that he didn't threatened her or anybody else, he just threatened to kill himself.

Q When PPO Magers handed you the weapon at the front door, what did you do with it?
A I gave it to one of the officers at Beat 811 and told them to hold it until I am done with the investigation.

Handwritten signature: J. Vasquez
Handwritten text: J. Vasquez

Q When PPO Magers handed you the weapon at the front door, did you know that it had been fired?

A No

Q Once you determined that Officer Tracy threatened to hurt only himself which was told to you by PPO Magers, what did you do next?

A Because of her calm demeanor, I asked her if she was afraid for herself, the safety of her son where she replied no that she was not afraid for herself because Officer Tracy had never threatened her or her son in any way but as a result of this incident where she believed he shot up the house, she was going to ask him to move out for real. She asked me again if she was going to loose her job as a result of this and I told her no I don't think so but that she would have to give me a To/From regarding the incident. I asked her if she called 911, notified any supervisor or anybody what she believed happened inside the house.

She said that she spoke to a desk sergeant at the 8th District about what she believed happened in the house. I asked her if she was the one who contacted the 8th District desk and spoke with the sergeant. She said no that she was not the one who called the desk but when she came home, Officer Tracy was on the phone with the 8th District desk where she heard him crying and telling the other person on the other line that he wanted to go to the hospital, that he needed some help, things of that nature.

PPO Magers took the phone from Officer Tracy, identified herself and asked who she was speaking to on the other line, when she was discovered that it was Sergeant Henke at the 8th District desk, she notified him of what she believed happened inside the house. I told her that she in fact did was she was supposed to do and notify a superior officer what happened in the house.

I asked her if there were any more guns in the house, she said yes that there were a couple of guns in a safe but that the safe had not been opened and not been disturbed.

Q How does PPO Magers know that guns weren't disturbed?

A She looked.

Q When did she do this?

A I don't know.

Q Do you know what time Officer Tracy called the 8th District desk?

A My guess was minutes before I was notified of the PDT.

David Lopez
Shella Cato

Sgt. Vasquez #2664

Q What time were you given the PDT message?

A I think at 0251 hours.

Q Do you recall specifically what PDT message read?

A No

Q Prior to your arrival at [REDACTED] did you know how the desk sergeant had information that shots were fired at this location?

A No

Q Did PPO Magers tell you that Officer Tracy had threatened to kill himself prior to 03 February 2002?

A Yes, numerous times. She further informed me that he had lost his daughter in a car crash two years previous and that he never psychology recovered from that loss and that he was in fact under a doctor's care.

Q Once you informed PPO Magers that she did the right thing by contacting a supervisor, what happened next?

A I had her sit down in the living room because I was going to try to interview Officer Tracy hoping that he gained some composure while sitting on the sofa. I went to the living room, I attempted to speak with Officer Tracy. I asked him if he remembered what happened and if in fact shots were fired in the house by him or anybody else. He said that he didn't remember what happened but that he knows he needs some help and if we would please take him to the hospital before he hurts himself or anybody else.

Q What did you do next?

A I realized that there may have been shots fired in the house and I requested Beat 890 to come to the scene.

Q While you were doing the walk through with PPO Magers, did you notice any fresh damage to the house?

A I couldn't determine at the time that they were fresh because when I thought some were new PPO Magers told me they were not. Then I asked her to tell me which were done within the last day and she directed me to the ones in the hallway leading to the bedroom, cabinet and a fresh one that shattered a window.

Q And outside which bullet holes did you observe?

A I didn't observe any bullet holes outside, it was dark, even with my flashlight I couldn't see any.

[Handwritten signature]
L. V. Vasquez

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Sgt. Vidal Vasquez #2664

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Q Did you go outside to inspect for further bullet holes on your own accord or did PPO Magers lead you outside?

A On my own.

Q What did you tell Beat 890?

A I just requested him to come to the scene of [REDACTED]

Q Other than Officer Tracy telling you that he did not remember what happened and that he needed help, what else did he tell you?

A That he was thinking of committing suicide because he lost his daughter, that he pulled some strings to get PPO Magers in the academy and once she got in the academy she got a new boyfriend and she no longer wants him anymore and he wants to commit suicide.

Q Did Officer Tracy tell you anything else?

A No, he reiterated the same story over. I asked him again if shots were fired and he said that he didn't recall any of that, he just wanted to go to the hospital.

Q While Officer Tracy was telling you this, PPO Magers and Beat 811 were in the same room, the living room, correct?

A No. I think PPO Magers was sitting at the kitchen table. Beat 811 were in the living room with me the whole time. They never left the living room.

Q Did Beat 811 observe bullet holes at the residence?

A No. I wanted to secure the house, I didn't want them tracing around the house.

Q Could bullet holes be seen from the living room?

A No, I don't believe so.

Q What happened upon arrival of Beat 890?

A I informed him, Lt. Michael McGivney, about the possibility that shots were fired inside the house. I further informed him that PPO Magers handed me a semi-automatic pistol as I entered inside the house and she believed that it was the gun used to shot inside the house.

Q Did you tell Lt. McGivney who may have been responsible for shooting up inside the house?

A Yes.

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C. R. 278101
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Q What else did you tell Lt. McGivney?

A I further told him that I interviewed PPO Magers who said that she did not witness the possible shooting or when the damage occurred, and that she further told me that she was not threatened by Officer Tracy nor did she fear for his safety as a result of his drinking or depression. I told him I tried to interview Officer Tracy a couple of times or get a statement from him but that he was in fact incoherent and in a drunken stupor.

Q You stated that you attempted to interview Officer Tracy a couple of times, when was this?

A When I first came in contact with him in the kitchen and after PPO Magers came me a tour in the house, the interview was unsuccessful in terms that he could not tell me when the shots were fired.

Q Once you related the information you had with Lt. McGivney, what happened next?

A I told him what happened inside the foyer of the house. I then escorted him further into the house, passed Officer Tracy right to where PPO Magers was sitting in the kitchen. Lt. McGivney interviewed PPO Magers of what she knew of the incident. I stepped away from that interview and I attempted to interview Officer Tracy again.

PPO Magers took Lt. McGivney through a tour of the house. He came back to where I was trying to speak to Officer Tracy in the living room.

Q At this point, did you gather any further information from Officer Tracy?

A No.

Q What happened when Lt. McGivney returned to the living room?

A He identified himself to Officer Tracy and attempted to interview him or get any information about what possibly could have happened while he was in the house. Officer Tracy started crying again, that he wanted to go to the hospital and that he knew he needed some help. Lt. McGivney ceased the interview with him. Lt. McGivney went back to speak with PPO Magers.

Q Do you know the extent of Lt. McGivney's walk through the house with PPO Magers?

A No. I don't know what they discussed while they were in the kitchen either.

Q What happened when Lt. McGivney went back to speak with PPO Magers in the kitchen?

A He interviewed her. After he talked to her, he came back to the living room to speak with Officer Tracy and I went into the kitchen to speak with PPO Magers again.

Shirley Cato
Shirley Cato

Sgt. Vidal Vasquez #2664

C. R. 278101
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Q What was the extent of the conversation between PPO Magers and Lt. McGivney?
A I don't know.

Q What was the extent of the conversation between Officer Tracy and Lt. McGivney the second time?
A I don't know.

Q During the time Lt. McGivney was talking with Officer Tracy in the living room, where was Beat 811?
A I think they were in the foyer away from the sofa.

Q Why did you go to the kitchen to speak with PPO Magers again?
A To see if I can get more information regarding what occurred in the house, to check on her safety or did her son needed to be located, things of that nature.

Q Did you have any indication that a domestic disturbance had occurred between Officer Tracy and PPO Magers?
A No. I specifically inquired as to a domestic fight or dispute, she said no that Officer Tracy was in the process of moving out of the house and moving in with his brother. And that Officer Tracy was living in the basement of the house while her and her son lived on the main level of the house.

Q What further information did you obtain from PPO Magers at this time?
A Nothing other than the relationship and how it was going sour. That she in fact had a new boyfriend and that he was having a difficult time handling it, along with losing his daughter in a traffic crash.

Q To your knowledge, how does Officer Tracy have access to the main level of the house if he resides in the basement?
A There were no locks to the door, I guess separating the basement from the main level. It's a single family home. There are no restrictions from the basement and main level. An agreement of Officer Tracy staying in the basement and PPO Magers on the main level.

Q After you spoke with PPO Magers in the kitchen, what happened next?
A She continued speaking about the relationship. She informed me that Officer Tracy had bought the house and had put it in her name because he did not want his ex-wife to know. She further stated that she involved in another relationship with another recruit at the academy and that upon informing Officer Tracy that she found a new man, he became very depressed. This coupled with the fact that he was on the medical for an injury he received, I think while working, aggravated the already strained relationship they had.

Hindi Vasquez
Sgt Vidal Vasquez #2664
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She continued to say that she was worried about her job where I informed her that her job was not in jeopardy. That she was the victim if anything occurred her but to no worry about losing her job. She continued to inform me that Officer Tracy was not a violent man, a very loving man and that she did not want him to lose his job and that we understand that he did not threatened her, she did not fear for her safety, she just wanted him to get some medical help.

Q What happened next after you spoke with PPO Magers?

A Lt. McGivney came into the kitchen and I asked him what's his decision where are we going with this and he instructed me to have Beat 811 take Officer Tracy to Rush Presb. St. Luke's where he apparently had a doctor that was treating him for psychological problems. Lt. McGivney further stated that he was going to make the decision and give PPO Magers the weapons, the one that she had turned over to me at the front door, where she agreed to put in the safe for safe keeping. He told me that he was going to relieve me of any investigative responsibilities and that he would make whatever notifications were needed. I instructed Beat 811 to transport Officer Tracy to Rush Presb. St. Luke's where Officer Tracy was going to sign himself in.

Lt. McGivney spoke again with PPO Magers, a conversation I wasn't privy to. Lt. McGivney came back to the living room and verified to Beat 811 to take Officer Tracy to the hospital. I again spoke with PPO Magers and informed her of what Lt. McGivney was going to do. She stated that she understood what was being done and no reports made. That the main objection was to get Officer Tracy to the hospital to receive the medical attention necessary.

Q What happened next?

A She said fine, that she didn't want anybody to get in trouble. Her main concern was also that Officer Tracy receive the medical help needed. She further stated that she in fact, insist the he move out when he came out of the hospital.

I spoke with Lt. McGivney outside the house where he informed that it was his decision to have Officer Tracy transported to the hospital and making proper notifications, if any, regarding the incident. I said okay and left.

Q Did you complete any paperwork about this incident?

A No

Q Why not?

A I was instructed by Lt. McGivney to not fill out any reports until he requested them.

*Final Report
Made CAB*

Sgt. Vidal Vasquez #2664

C. R. 278101
A. INCIDENT # 48

- Q Was PPO Magers instructed not to complete a To/From about this incident?
A Not by me. I don't know what conversation Lt. McGivney had with her.
- Q But PPO Magers understood that a To/From report was not needed by her at this time?
A That is correct.
- Q Did you notify anyone of this incident other than Lt. McGivney?
A No
- Q Other than transporting Officer Tracy to the hospital, was Beat 811 given other instructions?
A No
- Q Did you or Lt. McGivney accompany Beat 811 to transport Officer Tracy to the hospital?
A No
- Q Was Officer Tracy handcuffed or restrained in any way at any time?
A No
- Q Did Beat 811 complete a hospitalization case report or hospital run sheet regarding their transport of Officer Tracy to the hospital?
A Not that I know of.
- Q Was Beat 811 given instructions not to complete any paperwork regarding this incident?
A I don't recall whether we instructed them or whether we told them.
- Q But Beat 811 knew that you were not going to complete any paperwork about this incident per Lt. McGivney's instructions. Is this correct?
A I don't know if they knew. I believe they didn't.
- Q So as far as you know Beat 811 was not told to do complete any paperwork about this incident and/or the transportation of Officer Tracy to the hospital. Is this correct?
A Yes. They were instructed to transport Officer Tracy to the hospital where he would sign himself in. The issue of completing a hospitalization form was not discussed.
- Q Did Lt. McGivney leave the residence at the same time you did?
A Yes

Handwritten signatures:
Vidal Vasquez
Sgt. Vidal Vasquez #2664

Q Did you and Lt. McGivney exchange any further information about this incident after you left the residence?

A No

Q Did you and Lt. McGivney communicate via PDT about this incident?

A No

Q Was the 8th District informed about this incident?

A I do not know, not by me. They already knew of the incident which was they told me but after that, I don't know.

Q To your knowledge, did Lt. McGivney make any notifications to anyone about this incident?

A Not to my knowledge.

Q Did you question Lt. McGivney about telling you not to complete any paperwork and/or his decision not to make any notifications?

A To the affect of is this sure what you want to do and his response was yes, this is the decision he was making.

Q Why didn't you take it upon yourself to seek the advice of another superior regarding Lt. McGivney's decision or to make your own notifications?

A No particular reason just given a direct order by my direct supervisor that he would complete the investigation regarding the incident.

Q But to your knowledge at this point, Lt. McGivney did not conduct a proper or thorough investigation into the incident. Correct?

A I do not know.

Q When Lt. McGivney left the residence with you and told you not to complete any paperwork, what conclusion did you come to as to what Lt. McGivney was going to do?

A Complete the investigation as he saw fit.

Q At some point, did you know that in fact that Lt. McGivney did not complete a through and proper investigation?

A Yes, when I received my notification of charges/allegations.

[Handwritten signatures: "Vidal Vasquez" and "Sgt. Vidal Vasquez #2664"]

Q Are you stating that prior to receiving your allegations relative to this complaint register number you had no knowledge that Lt. McGivney failed to conduct a proper investigation?

A I didn't inquire.

Q You didn't inquire as to whether or not Lt. McGivney made notifications to anyone once you left the residence. Correct?

A That is correct. I found out not when I received the allegations but the following morning.

Q What did you find out the following morning?

A That someone had called OPS about the incident and that OPS called the 8th District and 8th District sent somebody out there.

Q How did you find this out?

A When I did my last interview with PPO Magers regarding this incident, I gave her my card with my cell phone number in the case she needed any assistance when Officer Tracy got out of the hospital. PPO Magers called me on my cell phone and informed that a sergeant was at her residence asking her about the incident.

Q When did she call you?

A Sometime in the morning. I was sleeping at the time. I was off-duty. I told her not to lie when the sergeant asks her any questions about the incident.

Q What did you do after the call from PPO Magers?

A Nothing.

Q You did not take it upon yourself to ensure that any notifications were made other than Lt. McGivney. Correct?

A Yes

Q You did not take it upon yourself to complete any paperwork about the incident against Lt. McGivney's order. Correct?

A Yes

Q You stated that Officer Tracy was intoxicated, why wasn't a Breathalyzer administered?

A He was in his own residence. That fact that he was drunk was not an issue, the issue at hand was whether or not he fired a weapon.

Shirley Lyons
Shirley Lyons
Sgt. Vidal Vasquez #2664

Office of Professional Standards
Complaint Register 278101
Statement of Sergeant Vidal Vasquez#2664
Page#17

Q Did you come to any conclusion as to whether or not Officer Tracy in fact fired a weapon that day?

A I made an assumption that he did but I wasn't positive that he did or didn't shoot a gun.

Q No evidence was secured as far as the gun handed to you or that an Evidence Technician ordered to conclude that Officer Tracy may have discharged a weapon. Correct?

A No

Q According to the information you received from PPO Magers and the physical evidence you observed in the residence, you concluded not to have Officer Tracy take a Breathalyzer because he was in his own residence. Correct?

A Yes and the fact that he was drunk was not an issue.

Q Why didn't you initiate a CR number against Officer Tracy for intoxication even it was not an issue?

A Because I was instructed by my immediate supervisor, Lt. McGivney, that he would make all notifications and complete any paperwork needed regarding the incident.

Q So because Lt. McGivney told you that he would conduct his own investigation and because he ordered you not to complete any paperwork, you did not make any notifications of your own, you did not contact OPS about the incident and you did not complete any paperwork about the incident. Is this correct?

A Yes

Q Was the weapon that PPO Magers handed to you inspected?

A Yes

Q By whom?

A By yourself.

Q What did you notice about the weapon?

A That it was dirty.

Q What else?

A Unloaded.

Q Could you determine that the weapon had been discharged?

A I could not tell if had been discharged recently, I could tell that it had been discharged because it wasn't clean.

H. Vasquez
Shelley C. A. O.

C. R. 278101
ATTACHMENT # 48

Office of Professional Standards
Complaint Register 278101
Statement of Sergeant Vidal Vasquez#2664
Page#18

- Q Did you observe any gun shot residue to Officer Tracy?
A No
- Q Was this semi-automatic a .380 or 9 millimeter?
A I believe it was a .380.
- Q Was a weapon registration conducted on the weapon turned into you by PPO Magers?
A No, not by me.
- Q Why not?
A I just hadn't gotten to that point.
- Q Did anyone check the registration of this weapon?
A Not that I know of.
- Q Did you tell Lt. McGivney that the registration of this weapon had not been checked yet?
A I don't recall.
- Q Did PPO Magers provide you with any pertinent information of the phone calls received Officer Tracy that day such as phone messages or caller identification features on her cell phone?
A No
- Q When Officer Tracy called PPO Magers and threatened to hurt himself, did she actually talk to him or were voice mail messages left?
A I think she told me that he left voice mail message. I don't recall if she told me that she actually spoke to him.
- Q Did PPO Magers tell you where she had been that day?
A The night before she said that she went out where she spent the night, I don't know, I think she said she was studying for an exam in the afternoon or evening until 2:00 in the morning. And that Officer Tracy was upset because he knew that she might be out with her boyfriend.
- Q Did you and Lt. McGivney meet somewhere after you left this residence?
A No
- Q When did you see Lt. McGivney again after leaving 5858 S. Rutherford?
A The next day, the next tour of duty.

Shirley Davis
Shirley Davis
Shirley Davis

Sgt. Vidal Vasquez #2664

C. R. 278101
ATTACHMENT 48

Office of Professional Standards
Complaint Register 278101
Statement of Sergeant Vidal Vasquez#2664
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- Q Did Beat 811 know that there was a possibility that Officer Tracy had discharged a weapon?
- A They may have had some assumption since I gave them the gun but they didn't enter the house further past the living room.
- Q Did you ever ascertained who owned that weapon that was turned into you by PPO Magers?
- A No I did not.
- Q Approximately how long were you at 5858 S. Rutherford?
- A Maybe an hour.
- Q What time did your tour of duty end?
- A 0730
- Q Did you go home after your tour of duty?
- A Yes.
- Q To your knowledge did Beat 811 complete a miscellaneous card or any other paperwork about this incident?
- A Not to my knowledge
- Q Did you respond to the scene of shots fired by a Department member and failed to ensure that the proper notifications were made?
- A No. I responded but notified my immediate supervisor.
- Q Did you fail to ensure that the proper notifications were made?
- A No, I did not. I made notification to Beat 890, Lt. McGivney.
- Q Did you fail to ensure that the scene of the shots fired was protected?
- A No, it was protected. I did not allow the beat car to go in.
- Q Did you fail to conduct a preliminary investigation into the shots fired by a Department member?
- A No. I did conduct a preliminary investigation and notified my superior when completed.
- Q Did you fail to ensure that PPO Magers submitted a written report about her knowledge of the shots fired?
- A No. I was relieved of that responsibility.

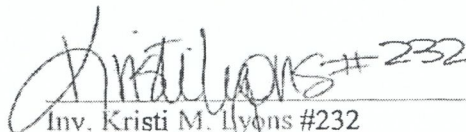
*Investigator
Chelle CMB* *Sgt. Vidal Vasquez #2664*

Office of Professional Standards
Complaint Register 278101
Statement of Sergeant Vidal Vasquez#2664
Page#20

- Q Did you fail to submit a report summarizing the facts of the shots fired incident?
A Yes, I did as instructed by my supervisor.
- Q Did you fail to obtain a CR number and conduct a thorough preliminary investigation into the allegations of misconduct?
A No, I did not obtain a CR number as I was informed by Lt. McGivney that he would make all notifications regarding the incident. I conducted my preliminary investigation.
- Q Did you fail to have a Breathalyzer administered to Officer Tracy?
A Yes because I felt that Officer Tracy's intoxication was not in question.
- Q Did you fail to ensure that a hospitalization case report was completed after Officer Tracy was transported to Rush Presb-St. Luke's hospital?
A Yes, I failed to ensure completion of a hospitalization case report as I was informed by Lt. McGivney that he would complete any and all reports as needed.
- Q Is there anything you wish to add to this statement?
A As I understood it the decisions were made with the safety and welfare and concern of Officer Tracy after it was determined that PPO Magers was not threatened with physical harm by Officer Tracy nor was she in fear of being harmed by Officer Tracy and it could not be determined in a positive manner when the damage occurred in the home.
- Q After reading this statement of 20 pages, and being provided the opportunity to make corrections, additions and/or deletions and finding it to be a true and accurate summarization of what you have stated will you sign it?
A Yes


Sergeant Vidal Vasquez #2664
Date 21 Feb 02
Time 0925


Inv. Ivette M. Cotto #210


Inv. Kristi M. Lyons #232

C. R. 278101
ATTACHMENT 48

NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT

GIVEN TO MEMBER
DATE TIME

21 Feb 02 0600

NAME OF ACCUSED MCGIVNEY, Michael	RANK Lt.	STAR NO 342	UNIT OF ASSIGNMENT 008
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The law provides that if you are to be charged with a criminal offense or if your separation from the Department will be sought, you are to be advised in writing of the specific illegal or improper acts alleged against or attributed to you.

Furthermore, Department policy provides that you have a right to be advised in writing of the names of complainants and allegations against you prior to any questioning of you concerning the allegation regardless of the nature of the allegation and even if the allegation is such that it will not result in the filing of criminal charges or the filing of separation charges.

Accordingly, you are hereby advised that the following allegations have been attributed to you:

COMPLAINANTS/VICTIMS:

1. Captain Robert EVANS, Star #70, Unit 008
2. OPS Investigator Ivetta M. Cotto #210
- 3.
- 4.

It is alleged that on 03 February 2002, at approximately 0251 hours, at [REDACTED] you: responded to the scene of shots fired by a Department member and failed to ensure that the proper notifications were made; failed to ensure that the scene of the shots fired was protected; failed to conduct a preliminary investigation into the shots fired by a Department member; failed to ensure that PPO Karen Magers submitted a written report about her knowledge of the shots fired; failed to submit a report summarizing the facts of the shots fired incident; failed to obtain a CR number and conduct a thorough preliminary investigation into the allegations of misconduct; failed to have a Breathalyzer administered to PO Michael Tracy #14349; and failed to ensure that a hospitalization case report was completed after PO Michael Tracy #14349 was transported to Rush Presb-St. Luks' Hospital.

The undersigned hereby acknowledges receipt in writing of the charges or allegations against him.

Signature

H. M. M. [Signature]

WITNESSES

[Signature] 216

[Signature] #208

PREPARE IN DUPLICATE:

Original to investigator's file
Duplicate to affected member

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO.

49

CPD-44 115(Rev. 5/89)

ADMINISTRATIVE PROCEEDINGS RIGHTS
(Statutory)
CHICAGO POLICE DEPARTMENT

GIVEN TO MEMBER
DATE TIME

21 Feb 12 0600

NAME OF ACCUSED
MCGIVNEY, Michael

RANK
Lt

STAR. NO.
342

UNIT OF ASSIGNMENT
008

The law provides that you are to be advised of the following:

1. Any admission or statement made by you in the course of this hearing, interrogation or examination may be used as the basis for your suspension or as the basis for charges seeking your removal or discharge or suspension in excess of 30 days.
2. You have the right to counsel of your choosing to be present with you to advise you at this hearing, interrogation or examination and you may consult with him as you desire.
3. You have a right to be given a reasonable time to obtain counsel of your own choosing.
4. You have no right to remain silent. You have an obligation to truthfully answer questions put to you. You are advised that your statements or responses constitute an official police report.
5. If you refuse to answer questions put to you, you will be ordered by a superior officer to answer the questions.
6. If you persist in your refusal after the order has been given to you, you are advised that such refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and will serve as a basis for which your discharge will be sought.
7. You are further advised that by law any admission or statement made by you during the course of this hearing, interrogation or examination and the fruits thereof cannot be used against you in a subsequent criminal proceeding.

The undersigned hereby acknowledges that he was informed of the above rights.

Signature

[Handwritten Signature]

WITNESS

[Handwritten Signature] 216

[Handwritten Signature] # 208

DISTRIBUTION
COMPLAINT REGISTER INVESTIGATION

Original to investigator's file
Duplicate to affected member

CPD-44 105(Rev. 10/93)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO. 50

WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL
CHICAGO POLICE DEPARTMENT

NAME OF ACCUSED MCGIVNEY, Michael	RANK Lt.	STAR NO 342	UNIT OF ASSIGNMENT 008
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WAIVER OF COUNSEL



I, the undersigned, hereby acknowledge that I have received and read the charges/allegations against me and I knowingly and voluntarily wish to proceed with the hearing, examination or interrogation without having counsel of my own choosing present to advise me during this hearing, examination or interrogation.

Date-Time

21 Feb 02 date

Signature

Michael McGivney



REQUEST TO SECURE LEGAL COUNSEL

I, the undersigned, having been advised of my right to counsel of my own choosing at all hearings, examinations and interrogations in connection with the charges/allegations against me which have been given to me in writing and receipt of which is hereby acknowledge, elect to secure the services of counsel and agree to proceed with said hearing, examination or interrogation at

_____ hours, on _____, 20_____, in Room _____

_____ Chicago, Illinois, at which time said hearing, examination or interrogation shall be commenced. By placing my signature upon this statement, I affirm my wish to secure said counsel and agree to comply with Department hearing, examination or interrogation scheduled on the date aforesaid.

Date-Time

Signature

WITNESS

Det. H. Franks 240
Det. J. [unclear] 401

DISTRIBUTION

COMPLAINT REGISTER INVESTIGATION

Original to Investigator's file
Duplicate to affected member

CPD-44 106(Rev. 10/93)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO.

51

OFFICE OF PROFESSIONAL STANDARDS

21 February 2002
CR#278101

The following is in essence by not verbatim a summary statement taken in question and answer format from Lt. Michael McGivney#342, assigned to Unit 008 relative to the allegations that on 03 February 2002, at approximately 0251 hours, at [REDACTED], he failed to conduct a thorough investigation.

Statement being taken at the Office Professional Standards, 10 W. 35th Street, Chicago, IL.

Questioned and typed by Investigator Elizabeth A. Carmody #208, Unit 113, OPS.

Date and time: 21 February 2001/0600 hours

Witnessed by: Investigator Nichelle Fraction#216

QUESTION : What is your name, star number, and unit of assignment?

ANSWER: Michael R. McGivney, Star#342, Unit 008.

QUESTION: What is your employee number?

ANSWER: [REDACTED]

QUESTION: What is your Social Security Number?

ANSWER: [REDACTED]

QUESTION: What is your age and date of birth?

ANSWER: 50, [REDACTED] 1951.

QUESTION: What is your date of appointment to the Department?

ANSWER: 22 October 1973.

QUESTION: How long have you been assigned to your present unit?

ANSWER: Ten months.

QUESTION: Have you been advised in writing of the Allegations made against you, the name of the complainant (s), the date and time of the incident, and your Administrative Rights?

ANSWER: Yes.

QUESTION: Are you accompanied by counsel/representative of your choosing if so, please

Signature of Lt. McGivney: M. McGivney

Signature of Inv. Carmody: E. Carmody

Signature of Witness: N. Fraction

CR#278101

ATTACHMENT#

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OFFICE OF PROFESSIONAL STANDARDS
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STATEMENT OF LT. MCGIVNEY

identify him/her for the record?

ANSWER: No.

QUESTION: Are you now prepared to give a statement at this time without the aid of counsel or a representative?

ANSWER: Yes.

QUESTION: Are you aware that this statement has the standing of an official Department report and that any intentional falsification of any answer to any question would be in direct violation of Department Rules and Regulations?

ANSWER: Yes.

QUESTION: On 03 February 2002, at 0251 hours, you were the Field Lieutenant in the 8th District, correct?

ANSWER: Correct.

QUESTION: And on 03 February 2002, you responded to [REDACTED] correct?

ANSWER: Yes.

QUESTION: And why did you initially respond to [REDACTED]?

ANSWER: Beat 810 requested my presence there.

QUESTION: And your beat was 890 correct?

ANSWER: Correct.

QUESTION: And Sergeant Vasquez was assigned to Beat 810 correct?

ANSWER: That's correct.

QUESTION: What did he tell you over the radio when he called you?

ANSWER: Nothing over the radio.

QUESTION: How did you receive his request to go to [REDACTED]?

ANSWER: he asked me to meet him at this location.

QUESTION: How did he convey this request?

Signature of Lt. McGivney: 
Signature of Inv. Carmody: 
Signature of Witness: 

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CR#278101

STATEMENT OF LT. MCGIVNEY

ANSWER: Via the radio.

QUESTION: And when he initially asked you to go to [REDACTED] on the radio, did you know why he was requesting you?

ANSWER: At that time no.

QUESTION: Did he send you any message over the PDT before you arrived?

ANSWER: No.

QUESTION: Did you receive any message from anyone over the PDT prior to arriving at [REDACTED] regarding the incident at 5858 S. Rutherford?

ANSWER: No, I don't think so.

QUESTION: When you arrived at [REDACTED] who was there?

ANSWER: Sergeant Vasquez, Officer Michael Tracey, Karen Magers, and Beat 811.

QUESTION: Who was assigned to Beat 811?

ANSWER: Officers Hayman and Engelhardt.

QUESTION: Where was Sgt. Vasquez when you arrived?

ANSWER: He and 811 met me out in front of [REDACTED]

QUESTION: Where was Officer Tracy and Karen Magers at this time?

ANSWER: IN the house.

QUESTION: Was there a young boy in the house?

ANSWER: No.

QUESTION: Who did you speak to first outside the house?

ANSWER: I had a private conversation with Sgt. Vasquez away from the officers assigned to Beat 811.

QUESTION: And what did Sgt. Vasquez tell you?

ANSWER: Sgt. Vasquez related that there may have been shots fired by an off duty officer in the house at this location.

Signature of Lt. McGivney: M. McGivney
Signature of Inv. Carmody: J. Carmody
Signature of Witness: Witness

CR#278101

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OFFICE OF PROFESSIONAL STANDARDS
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STATEMENT OF LT. MCGIVNEY

QUESTION: And what did you say to Sgt. Vazquez?

ANSWER: I don't recall my reply to Sgt. Vazquez, we went in the house.

QUESTION: Did you have a conversation with Beat 811 at this time?

ANSWER: I think at that time I told them to stay on the porch.

QUESTION: Did Sgt. Vazquez identify the off duty officer to you at this time?

ANSWER: Yes.

QUESTION: And it is correct that Sgt. Vazquez identified the off duty officer as Michael Tracy, correct?

ANSWER: Correct.

QUESTION: And after receiving this information, what was the first thing you did?

ANSWER: I went inside and had a conversation with Officer Tracey.

QUESTION: And prior to entering the residence, did you make any notifications or instruct Sgt. Vazquez to make any notifications regarding possible shots fired by Officer Tracy?

ANSWER: No.

QUESTION: And why not?

ANSWER: At that time I wanted to get a fuller picture before I did anything further.

QUESTION: And it is correct that you instructed Beat 811 to remain outside the residence?

ANSWER: initially yes, later I instructed them to come into the front room, however, they were not privy to the conversation that occurred between myself, Karen Magers, or Officer Tracy.

QUESTION: And when you entered the residence at [REDACTED] who did you see inside?

ANSWER: Karen Magers and Michael Tracy.

QUESTION: Where was Sgt. Vazquez at this time?

Signature of Lt. McGivney: [Signature]
Signature of Inv. Carmody: [Signature]
Signature of Witness: [Signature]

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OFFICE OF PROFESSIONAL STANDARDS
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STATEMENT OF LT. MCGIVNEY

ANSWER: He walked in the house with me.

QUESTION: Where exactly was Officer Tracey when you first entered the residence?

ANSWER: Seated on the couch in the living room.

QUESTION: Where was Karen Magers when you entered the residence?

ANSWER: In the kitchen.

QUESTION: Did you speak with anyone at this time?

ANSWER: I spoke to Officer Tracey.

QUESTION: did you speak to Officer Tracy first?

ANSWER: yes, I believe so.

QUESTION: What was said?

ANSWER: He was crying. He stated to me that he needed help and made statements alluding to the fact he wanted to commit suicide.

QUESTION: Who was present at this time?

ANSWER: Just myself and Officer Tracey.

QUESTION: Where was Sgt. Vazquez?

ANSWER: I believe he was speaking to Karen Magers at the time.

QUESTION: Regarding your conversation with Officer Tracey, what type of help did he request?

ANSWER: He did n't specify what type of help he was looking for. I surmised it would be help with his alcohol abuse and depression.

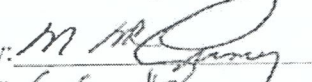
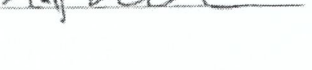
QUESTION: Do you know Officer Tracey?

ANSWER: No.

QUESTION: Have you ever had contact with him prior to 03 February 2002?

ANSWER: No.

QUESTION: What was Officer Tracey doing when you first saw him?

Signature of Lt. McGivney: 
Signature of Inv. Carmody: 
Signature of Witness: 

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STATEMENT OF LT. MCGIVNEY

ANSWER: Sitting on the couch crying.

QUESTION: And you indicated that you surmised Officer Tracey needed help for his alcoholism and depression correct?

ANSWER: Correct.

QUESTION: How did you know he was an alcoholic?

ANSWER: He had related to me, during our conversation, that he had been drinking heavily for the past few months.

QUESTION: Did he tell you at this time he had consumed alcohol?

ANSWER: No he did not tell me that but it was obvious that he had been drinking heavily.

QUESTION: Describe how it was obvious he was drinking heavily?

ANSWER: I could smell the alcohol and in the light of 28 years of police experience, I had seen numerous intoxicated people.

QUESTION: Besides the smell of alcohol and your experience, did you observe anything else about Officer Tracey?

ANSWER: Other than his obviously unstable emotional condition.

QUESTION: And what did you say to Officer Tracey at this time?

ANSWER: Specifics of the conversation I don't recall but in essence I was encouraging him to come to grips with his alcohol abuse, depression and failing relationship with Magers.

QUESTION: And besides what you told me, did you say anything else to him?

ANSWER: I just encouraged him to voluntarily seek professional help.

QUESTION: And how long did this conversation last with Officer Tracey?

ANSWER: It was ongoing conversation and I would turn my attention to Karen Magers then back to Officer Tracey. About a half of an hour to forty minutes.

QUESTION: And after you initially spoke to Officer Tracey, what did you do?

Signature of Lt. McGivney: [Signature]
Signature of Inv. Carmody: [Signature]
Signature of Witness: [Signature]

CR#278101
ATTACHMENT#

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STATEMENT OF LT. MCGIVNEY

ANSWER: I had a conversation with Magers.

QUESTION: Where did this conversation take place?

ANSWER: In the kitchen.

QUESTION: Did Officer Tracey remain in the living room while you went to the kitchen?

ANSWER: yes.

QUESTION: And where was Beat 811 at this time?

ANSWER: At that time I told them to come into the house and stay with Officer Tracey.

QUESTION: So your saying that you spoke to Officer Tracey then gave Beat 811 instructions to come into the house and stay with Officer Tracey while you went to the kitchen correct?

ANSWER: correct.

QUESTION: And when you entered the kitchen, who was present?

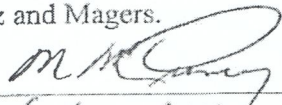
ANSWER: Sgt. Vasquez and Magers.

QUESTION: And what was said?

ANSWER: In summary Magers related that she has an on going relationship with Tracey and both resided at [REDACTED] and that this relationship was ending due to Tracey's ongoing abuse of alcohol. She further related that she had not been home since 6 a.m. the day prior and Tracey had called her on several occasions during her absence and finally related during one of theses calls that he had fired shots and was going to kill himself. She related that Tracey's depression dn alcohol abuse started with the death of his daughter in a traffic accident. This was compounded with the divorce of his first wife and finally by their, Magers and Tracey's, failing relationship.

QUESTION: And during this conversation, who was present?

ANSWER: Sgt. Vasquez and Magers.

Signature of Lt. McGivney: 

Signature of Inv. Carmody: 

Signature of Witness: 

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STATEMENT OF LT. MCGIVNEY

QUESTION: And what did you say to Ms. Magers?

ANSWER: I don't recall specifically but I queried about their relationship and if she in any manner felt threatened or if she observed Tracey fire any shots.

QUESTION: What was her response to your questions?

ANSWER: She related that she did not observe Tracey fire the shots. But observed damage to the home caused by apparent gunshots that wasn't there when she initially left the house.

QUESTION: And was anything else said?

ANSWER: I'm sure there was further conversation but I can't recall the specifics at this time.

QUESTION: Who did you speak to next?

ANSWER: After the conversation probably Sgt. Vazquez and then back to Officer Tracey.

QUESTION: What did you say to Sgt. Vazquez?

ANSWER: I believe I told him I was going encourage Tracey to go for a voluntarily psychiatric evaluation.

QUESTION: And at this time did you make any notifications regarding the information you had obtained?

ANSWER: No.

QUESTION: Why not?

ANSWER: At that time I was trying to determine the full scope of Tracey's mental condition and all the circumstances involved.

QUESTION: And isn't it true that while you were inside [REDACTED] you observed a number of bullet holes?

ANSWER: Yes.

QUESTION: And you observed the bullet holes while walking through the residence, correct?

ANSWER: Yes.

Signature of Lt. McGivney: 
Signature of Inv. Carmody: 
Signature of Witness: 

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ATTACHMENT#

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OFFICE OF PROFESSIONAL STANDARDS
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STATEMENT OF LT. MCGIVNEY

QUESTION: Did you determine who caused these bullet holes?

ANSWER: From my conversations with Magers and the evidence at hand, I believed it was Officer Tracey.

QUESTION: And after you observed the bullet holes and determined that Officer Tracey caused the bullet holes, did you make any notifications?

ANSWER: No.

QUESTION: Why not?

ANSWER: I was still trying to determine the full scope of the incident.

QUESTION: For clarification, when you state that your trying to determine the full scope of the incident, what do you mean?

ANSWER: Complete picture of Officer Tracey's emotional state, mental condition, individuals present during the time this occurred and the state of his domestic relationship with Magers and to determine the best course of action to ensure his well being.

QUESTION: And who was present when you observed the bullet holes?

ANSWER: Magers and Sgt. Vasquez.

QUESTION: Did you believe that the damage had been caused on or about 03 February 2002?

ANSWER: Yes, given the information that I had obtained.

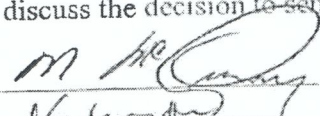
QUESTION: And after observing the bullet holes, what did you do?

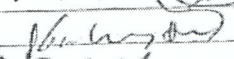
ANSWER: After determining that Tracey needed immediate psychological , I instructed Beat 811 to take him to Rush Presbyterian Hospital.

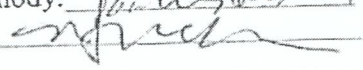
QUESTION: So after speaking with Ms. Magers, observing the bullet holes, you determined that Officer Tracey needed psychological help, correct?

ANSWER: Yes.

QUESTION: And did you discuss the decision to send Officer Tracey to Rush Presbyterian with

Signature of Lt. McGivney: 

Signature of Inv. Carmody: 

Signature of Witness: 

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Sgt. Vazquez?

ANSWER: I didn't discuss it with him I told him that this was going to be my course of action.

QUESTION: And did you question Officer Tracey about the shots fired and bullet holes before he was transported to the hospital?

ANSWER: During my conversations with Tracey, he was crying and under the influence of alcohol and in such a state that he could not focus or adequately answer specific questions. He did not relate during my conversations with him that he fired shots.

QUESTION: And did you say anything to Beat 811 about the shots fired and bullet damage?

ANSWER: No, 811 was not appraised of any of the information I received or developed. And nor were they privy to the conversations between myself, Sgt. Vazquez and Karen Magers.

QUESTION: At any time were the officers informed of the condition of Officer Tracey or the reason of his hospitalization?

ANSWER: Well they were aware that he needed psychological help and that's why I told them to take him to Rush Presbyterian Hospital.

QUESTION: Did the officers say anything to you regarding Officer Tracy and Karen Magers?

ANSWER: No.

QUESTION: What did the officers say to you?

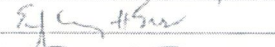
ANSWER: They asked me what they wanted them to do and I told them to take Tracey to the hospital and stay with him until he was evaluated and admitted.

QUESTION: And you indicated that you told the officers in Beat 811 that Officer Tracey needed psychological help correct?

ANSWER: That's correct.

QUESTION: Did you explain why Officer Tracey needed psychological help to Beat 811?

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ANSWER: I told the officers that he was an alcoholic and suicidal.

QUESTION: Did you explain the reason you believed Officer Tracey was suicidal?

ANSWER: No, I did not give them any specific reasons. The fact that I felt he was suicidal was sufficient to have him evaluated and admitted.

QUESTION: And at anytime did you tell the officers Beat 811 that shots were fired at [REDACTED] by Officer Tracey?

ANSWER: No.

QUESTION: And is it correct that you knew that Officer Tracey was suicidal and had fired gun shots, but did not provide this information to Beat 811?

ANSWER: That's correct. I did tell Beat 811 that he was suicidal but not that he fired any shots.

QUESTION: And while inside the residence, did you see any weapons?

ANSWER: Yes.

QUESTION: What weapons did you see?

ANSWER: I saw one weapon in the kitchen and two later were found in a safe in the back of the house.

QUESTION: At what point did you observe the weapon in the kitchen?

ANSWER: Sometime during my conversations with Magers and Sgt. Vazquez.

QUESTION: At what point did you locate the two weapons in the safe?

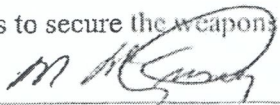
ANSWER: Subsequent to the conversations with Magers.

QUESTION: And did you ask Ms. Magers about the weapons while Officer Tracey was still in the residence?

ANSWER: No, I believe Tracey has already been transported to the hospital.

QUESTION: What did you do with the weapon in the kitchen?

ANSWER: I told Magers to secure the weapons and to ensure that Tracey did not have access

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Signature of Inv. Carmody: 

Signature of Witness: 

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to the weapons after his release from the hospital.

QUESTION: Did you ascertain who owned the weapons?

ANSWER: Magers related that they were Tracey's.

QUESTION: Did you ascertain if Officer Tracey owned any other weapons, besides the three that you had knowledge of?

ANSWER: Magers related that Tracey owned a security business and the business may own weapons.

QUESTION: And so you told Magers to secure the weapons, correct?

ANSWER: The ones in the house, she did not know where the ones from the business were.

QUESTION: Did you specifically instruct her on how to secure the weapons?

ANSWER: No, I just told her that Tracey did not have access to the weapons.

QUESTION: Did you check if the weapons were registered?

ANSWER: No.

QUESTION: Did you instruct anyone to check if the weapons were registered?

ANSWER: No.

QUESTION: So are you saying that at no time after determining that Officer Tracey fired shots, was possibly under the influence of alcohol and suicidal, you did not search him or the house for weapons?

ANSWER: No, I did search Tracey at the onset of my initial conversation with him and I did locate the weapons in the house.

QUESTION: And describe how you searched Officer Tracey?

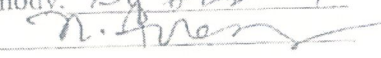
ANSWER: I did just a brief pat down to make sure he had no weapons and to make sure he did not present a danger to himself or anyone else.

QUESTION: And so you did this while in the living room?

ANSWER: Yes.

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Signature of Inv. Carmody: 

Signature of Witness: 

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QUESTION: And was Officer Tracey seated while you conducted the pat down?

ANSWER: No, I told him to stand up.

QUESTION: And it did appear to you that Officer Tracy had consumed alcohol, correct?

ANSWER: Correct.

QUESTION: And why wasn't Officer Tracey administered a Breathalyzer?

ANSWER: Given the circumstances, the fact that he was home, in his residence and by himself, and was a manifestation of his basic problem being alcoholism I did not feel it would be necessary or helpful.

QUESTION: And did you see any bottles of alcohol in the house?

ANSWER: Not that I can recall, but then I was not specifically looking for any bottles of alcohol.

QUESTION: And is it correct that you made the decision to have Officer Tracey transported to eh hospital?

Answer: Yes.

QUESTION: Did Sgt. Vazquez make any decisions regarding Officer Tracey?

ANSWER: No, the decisions were all mine.

QUESTION: Approximately how long were you at [REDACTED]?

ANSWER: Possibly forty minutes or so.

QUESTION: And during this time did you make any notifications about what you learned after responding to 5858 S. Rutherford?

ANSWER: No.

QUESTION: Did you instruct Sgt. Vazquez or anyone else to make any notifications about what you learned after responding to [REDACTED]?

ANSWER: No.

QUESTION: And after Officer Tracey was transported to the hospital, did you leave [REDACTED]

Signature of Lt. McGivney: [Signature]

Signature of Inv. Cannody: [Signature]

Signature of Witness: [Signature]

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[REDACTED]
ANSWER: Not immediately after he was transported, no.

QUESTION: What did you do after he was transported?

ANSWER: I remained at the house and had further conversation with Magers regarding Tracey's emotional conditions and during this time I related to Magers that I was notified that shots were fired and I would handle the matter from this point.

QUESTION: And was Sgt. Vazquez present during this conversation?

ANSWER: Yes. I told Sgt. Vazquez that I would handle the matter.

QUESTION: And so it is correct that after this conversation you left [REDACTED]?

ANSWER: Yes.

QUESTION: Did Sgt. Vazquez leave [REDACTED] with you?

ANSWER: I believe he left shortly thereafter.

QUESTION: And you left [REDACTED] without having the scene protected, correct?

ANSWER: Correct.

QUESTION: Did you instruct PPO Magers to write a report regarding her knowledge of what took place at [REDACTED]?

ANSWER: No.

QUESTION: Why not?

ANSWER: Given my course action, I did not require a report from her.

QUESTION: And when you say your course of action, what do you mean?

ANSWER: To have Tracey transported to eh hospital.

QUESTION: And you did not submit a report summarizing what you learned at [REDACTED] correct?

ANSWER: Correct.

QUESTION: Why not?

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Signature of Inv. Carmody: 
Signature of Witness: 

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ANSWER: I felt that given Tracey's mental and emotional condition and the fact that he was alone in the house when this occurred, that there were no injuries, no collateral damage and no domestic problems, that getting him immediate psychological help was the best course of action.

QUESTION: Why wasn't a hospitalization report completed on Officer Tracey being transported to the hospital?

ANSWER: Voluntarily admittance for psychiatric evaluation does not require a hospitalization report.

QUESTION: Why wasn't a miscellaneous card completed?

ANSWER: Again, given my course of action, it was not necessary.

QUESTION: And why wasn't a hospital run sheet completed?

ANSWER: There was no injuries and no contamination and no indication of communicable disease.

QUESTION: Did Magers indicate that she and Officer Tracey had prior domestic problems?

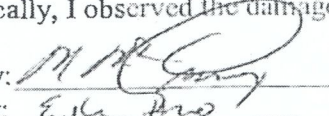
ANSWER: No domestic problems only that their relationship was ending due to his abuse of alcohol and although their relationship was ending he was still residing at [REDACTED] [REDACTED] Response to specific questions, Magers stated other than the breakup, there were no domestic problems, any type of abuse, threats, nor did she feel threatened or ill at ease in Tracey's presence at any time.

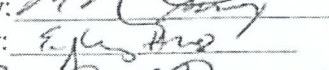
QUESTION: So it is correct to say that Magers told you that she never had any prior domestic problems of any kind with Officer Tracy?

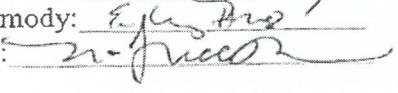
ANSWER: Correct.

QUESTION: Did Magers show you each bullet hole which she had found which she believed occurred on 03 February 2002?

ANSWER: Not specifically, I observed the damage on my own.

Signature of Lt. McGivney: 

Signature of Inv. Carmody: 

Signature of Witness: 

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QUESTION: Where were the bullet holes that you observed?

ANSWER: The lower kitchen cabinets and the glass patio door.

QUESTION: Did Magers point these out to you?

ANSWER: No, it wasn't necessary I observed them on my own.

QUESTION: How many bullet holes did you observe?

ANSWER: I can recall three.

QUESTION: Were all three in the cabinets?

Answer: Two in the cabinets and one in the patio door.

QUESTION: Did you see any casings?

ANSWER: No, I did not see any at the time I was there.

QUESTION: Did you see any bullets?

ANSWER: Just the ones contained int weapons located int eh safe.

QUESTION: Did you locate bullets in the weapon on the kitchen table?

ANSWER: There was a clip with the weapon I don't recall if there were rounds int eh clip or if so how many.

QUESTION: Did you inspect the three weapons you located int eh house?

ANSWER: No.

QUESTION: Why not?

ANSWER: The two in the safe were not part of the incident and the one allegedly used ruing the incident, there was no need to see if it had been fired because I assumed it had been.

QUESTION: And it is correct that you did not call for an Evidence Technician?

ANSWER: That's correct.

QUESTION: And it is correct that you did not have a Criminal Damage to Property report completed?

Signature of Lt. McGivney: 

Signature of Inv. Carmody: 

Signature of Witness: 

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ANSWER: Correct.

QUESTION: And it is correct that you did not ask Officer Tracey if he had fired any weapons?

ANSWER: I don't recall if I specifically asked him that question given his physical and emotional condition, he was unable to focus at that time on any specific issue. I relied on Magers and the physical to determine this.

QUESTION: Did you ask Officer Tracey about the bullet holes and shots fired?

ANSWER: My conversation with Tracey was long and extremely difficult given his emotional and mental condition. During my conversation with him my focus was on ^{gaging his current} ~~gaging his current~~ mental capacity, emotional state, and physical well being. During this time I may have asked him specific questions as to whether or not he fired shots but given the difficult of the conversation, I don't specifically recall if I did or did not my focus was elsewhere.

QUESTION: Did you have any conversations with Sgt. Vazquez regarding the incident after leaving [REDACTED]?

ANSWER: Before I left I told him that this was the course of action I was going to take. I'm sure I had a conversation with him later regarding Tracey being admitted to the hospital.

QUESTION: What was said about Officer Tracey going to the hospital?

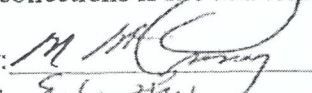
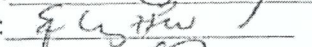
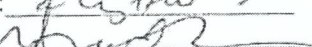
ANSWER: I told him that Tracey had been evaluated and admitted.

QUESTION: Did PPO Magers tell you the content of her conversations with Officer Tracey throughout the day?

ANSWER: NO, only that last call he related that he had fired shots and he was going to kill himself.

QUESTION: Did PPO Magers tell you how many any he called her?

ANSWER: I have no recollections if she had told me a specific number of calls, it was several

Signature of Lt. McGivney: 
Signature of Inv. Carmody: 
Signature of Witness: 

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calls throughout the day.

QUESTION: And Officer Tracey was on the phone with District 8, correct?

ANSWER: From what I understand, yes.

QUESTION: Who told this?

ANSWER: I think Sgt. Vazquez told me that Tracey had called the station.

QUESTION: And who did officer Tracey talk to at the district?

ANSWER: I don't know.

QUESTION: Did you ask Sgt. Vazquez who Officer Tracey spoke with?

ANSWER: No.

QUESTION: And after determining that Officer Tracey was under the influence of alcohol and fired shots at [REDACTED] you did not obtain a CR Number regarding this misconduct, correct?

ANSWER: Correct.

QUESTION: Why not?

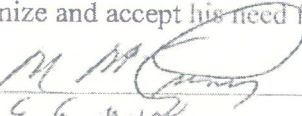
ANSWER: the same reason stated in the previous questions as to why not.

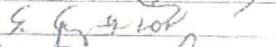
QUESTION: So your saying that because of Officer Tracey's emotional and physical state and the fact that he was at home, there were no injuries or threats, you did not obtain a CR number, correct?

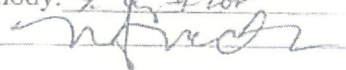
ANSWER: And given the course of action I was taking, I did not get a CR Number.

QUESTION: Is there anything you wish to add to this statement?

ANSWER: Yes. I will read this and give you a copy of what I am saying. At that time of the incident my immediate concern was the fragile mental and emotional condition of Officer Tracy. His statements alluding to his thoughts of suicide and desperate please of help stemming from alcohol abuse, focused my efforts on persuading him to recognize and accept his need for professional help, and to ensure that he

Signature of Lt. McGivney: 

Signature of Inv. Carmody: 

Signature of Witness: 

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received this assistance as soon as possible. This focus, a hesitancy to further burden Tracey's already overwhelmed emotional condition and possibly unconscious recollections of past co-workers who died from essentially the same cause, led to a misplaced sense of compassion that clouded my judgement. My actions were not taken for an evil or malicious purpose, nor to harm another individual or secure an advantage or personal gain for myself or another, but to provide for the well being of a Department member. Although initiated in good conscious, my judgement was in error. Any actions taken were done upon my direction. I am solely responsible for the decisions and any failures related to the incident.

QUESTION: You read this off a sheet of paper, correct?

ANSWER: Correct.

QUESTION: Was the weapon in the kitchen removed from the kitchen at any time?

ANSWER: Not when I was there.

QUESTION: Did Beat 811 take the weapon from the kitchen at anytime?

ANSWER: No.

QUESTION: Did you see Sgt. Bvazquez removed the weapon from the kitchen at anytime?

ANSWER: No.

QUESTION: Is it correct that the only action you took was to respond to [REDACTED] and send Officer Tracy to the hospital?

ANSWER: I sent him to the hospital for an immediate psychiatric evaluation assuring no injuries or collateral damage. This was done because this was the best course of action.

*that was
I felt, at the time, max*

QUESTION: And other than what you described, you did not take any other action correct?

ANSWER: Correct.

Signature of Lt. McGivney: *M McGivney*

Signature of Inv. Carmody: *E. Carmody*

Signature of Witness: *[Signature]*

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QUESTION: And is it correct that you made no notifications after leaving [REDACTED]
regarding the incident?

ANSWER: The question regarding my making notifications has been answered.

QUESTION: After reading this statement of 20 page (s) and being provided with the
opportunity to make corrections, additions or deletions, and finding it to be a true
and accurate summarization of what you have stated, will you sign it?

ANSWER: Yes.

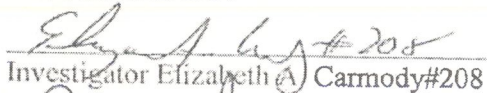


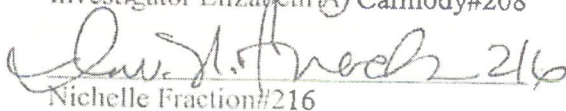
Lt. Michael McGivney#342

DATE: 21 Feb 02

TIME: 0915

WITNESSED BY:


Investigator Elizabeth A. Carmody#208


Nichelle Fraction#216

Signature of Lt. McGivney: 

Signature of Inv. Carmody: 

Signature of Witness: 

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At the time of the incident, my immediate concern was the fragile mental and emotional condition of Officer Tracy. His statements alluding to his thoughts of suicide and desperate pleas for help stemming from alcohol abuse, focused my efforts on persuading him to recognize and accept his need for professional help, and to ensure that he received this assistance as soon as possible.

This focus, a hesitancy to further burden Tracy's already overwhelmed emotional condition and possibly unconscious recollections of past co-workers who died from essentially the same cause, led to a misplaced sense of compassion that clouded my judgement.

My actions were not taken for an evil or malicious purpose, nor to harm another individual or secure an advantage or personal gain for myself or another, but to provide for the well being of a Department member. Although initiated in good conscience, my judgement was in error.

Any actions taken were done upon my direction. I am solely responsible for the decisions and any failures related to the incident.

*This was provided on 21 Feb 02 at approximately
0900 hours during the statement.*

*Elizabeth A. Long #208
W. Tracy 216
M. McCune*

C. D. 378101
ATTACHMENT # 524

REQUEST FOR INTERVIEW/STATEMENT/REPORT
CHICAGO POLICE DEPARTMENT

DATE
26 February 2002

TO: NAME HENCKE, Michael RANK Sgt STAR NO. 1842 UNIT 008

SUPERVISOR TO ACCOMPANY ABOVE PERSONNEL ☐ YES ☒ NO

YOUR APPEARANCE IS REQUIRED

AT ☐ INTERNAL AFFAIRS DIVISION 3510 S. MICHIGAN, 5TH FLOOR PAX 0610 ☒ OFFICE OF PROFESSIONAL STANDARDS 10 W. 35TH Street, 12TH Floor PAX 0113 ON-DATE 01 March 2002 TIME 0500

AS ☐ ACCUSED ☒ WITNESS ☐ VICTIM

FOR ☐ INTERVIEW ☒ FORMAL STATEMENT ☐ SUBMISSION OF A TO-FROM SUBJECT REPORT

CONCERNING - NATURE OF COMPLAINT
Allegations of misconduct.

REFERENCE - DATE 03 February 2002 TIME 0230 LOCATION [REDACTED] RD NO. HH165372 CB NO. None OTHER

YOU ARE TO REPORT TO

RANK NAME STAR NO. PAX
Inv. Ivette Cotto 210 0113

NOTE: The member MUST notify the investigator of his/her inability to keep this scheduled appointment.

NOTIFICATION MADE TO COMMANDER	UNIT 008	DATE 26 Feb 02	TIME 1200
NOTIFICATION MADE BY Inv. Ivette Cotto #210	UNIT 113	HOW Fax and Mail	

SIGNATURE OF REQUESTER

APPROVED

☒ Copy to unit/watch commander: If the requested member is not available due to being on medical, furlough, transfer, etc., YOU will notify I.A.D/O.P.S. immediately.

CPD-44.103 (REV. 12/93)

COMPLAINT REGISTER NO.
278101
ATTACHMENT NO.

53

Personnel Division
Bureau of Administrative Services

11 FEB 02
Date

To: PO MICHAEL TRACY
From: William P. Powers
Commander
Personnel Division
Subject: **RELEASE FROM POWERS OF ARREST.**

1. By the authority vested in me, Sgt. Robert Klich #854, by the Superintendent of Police, effective this date, you are hereby ordered that:
 - A. You will not carry a firearm or any other deadly weapon.
 - B. You will not exercise the power of arrest or any other police powers bestowed upon you by virtue of your employment as a sworn member of the Chicago Police Department.
 - ~~C. You will surrender your Chicago Police star, shield and identification card.~~
2. This order will remain in effect until further notice. Any violation of this order will subject you to disciplinary action and could be used as the basis to bring charges seeking your separation from the Chicago Police Department.

Sgt. Robert Klich #854
(for the Director of the Personnel Division)

I, MIKE TRACY, acknowledge the receipt of the above order given to me by Sgt. Robert Klich #854 on _____ at _____ hours.
(Date) (Time)

Witness: Sgt. Mike Calley 1343

I have received from _____ on _____ CPD star _____ and
CPD hat shield _____ and current & valid ID card.
Sgt. Robert Klich #854

G. D. 278101
54

OFFICE OF PROFESSIONAL STANDARDS



10 W. 35th Street, 12th Floor
Chicago, IL 60616
(312)745-3609

26 February 2002
CR. 278101

Attn: Pat O'Shea
Department of Revenue
Telephone: 312-744-7169
Fax: 312-744-0471

Dear Ms. Pat O'Shea,

I am inquiring the license/owner information, if any, for a business that may be named *Ranger Security Incorporate, Majestic Protective Services* or *Majestic Security* located at 6947 W. Archer, telephone number listed as 773-233-6400.

If you have any questions, please contact me at 312-745-3585. Thank you for your assistance.

Sincerely,

Investigator Ivette M. Cotto #210
Office of Professional Standards



C. R. 278101
65



City of Chicago
Richard M. Daley
Mayor



Department of Revenue
Business Services
City Hall, Room 107
121 North LaSalle Street
Chicago, Illinois 60602

CITY OF CHICAGO FREEDOM OF INFORMATION REQUEST

TO Chicago of Chicago-Dept. Of Police
Office of Professional Standards
10 W 35 th St 12 th FL
Chicago, IL 60616
Attn: Investigator Ivette M Cotto #210

FOLLOWING IS OUR RESPONSE TO YOUR REQUEST, UNDER THE FREEDOM OF INFORMATION ACT, FOR BUSINESS OWNERSHIP AT THE FOLLOWING LOCATION:

Ranger Security Inc., and/or Majestic Protective Security and/or Majestic Security
6947 W Archer Ave

LICENSEE:

No Record

DOING BUSINESS AS:

No Record

BUSINESS STRUCTURE:

No Record

LICENSE TYPE AND EXPIRATION DATE:

We have no record of a business license under any of the names indicated above, and we have no record of any licensed business at the address shown

BUSINESS LICENSE HOLDER AT THIS ADDRESS SINCE:

No Record

PRINCIPAL BUSINESS:

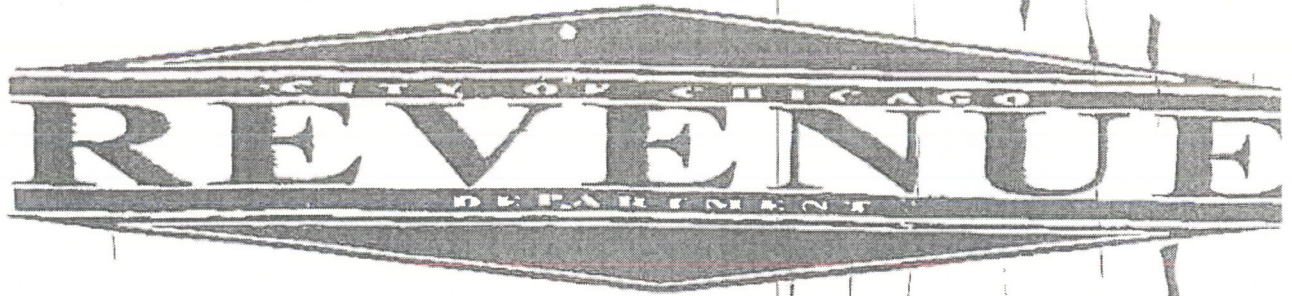
No Record

COMPLETED ON-2-26-2002

Completed By:

Patricia O'Shea
Patricia O'Shea Staff Assistant
Department of Revenue-Business Services
Tel: 312-744-7169 FAX: 312-744-0471

C. R. 278101
GSA



FAX COVER SHEET

Date:

2/26/2002

To:

Law Director in Office # 210

Fax #:

745-3588

745-3589

Subject:

FoIA

Pages:

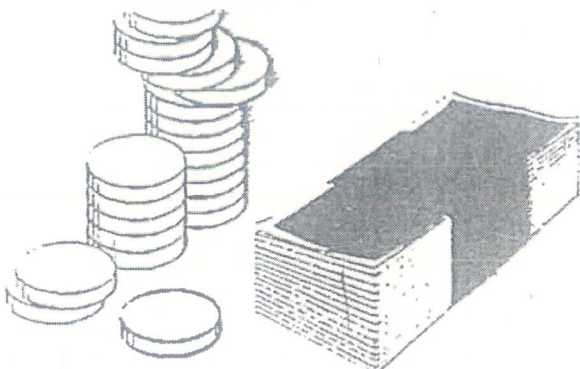
3

including this cover sheet.

COMMENTS:

Don't again 3/6/2002

From the desk of



Pat. Q. Shea

City of Chicago
Department of Revenue
Business Services Division
121 N. LaSalle St, Rm 107
Chicago, Illinois 60602



Phone: (312) 744-4169

Fax: (312) 744-0471

C. R. 878101

55A

Feb-26-02 11:30am From-DPS ADMIN

+3127453588

T-456 P.001/001 F-237

OFFICE OF PROFESSIONAL STANDARDS



10 W. 35th Street, 12th Floor
Chicago, IL 60616
(312)745-3609

26 February 2002
CR 278101

Attn: Pat O'Shea
Department of Revenue
Telephone: 312-744-7169
Fax: 312-744-0471

Dear Ms. Pat O'Shea,

I am inquiring the license/owner information, if any, for a business that may be named *Ranger Security* incorporate, *Majestic Protective Services* or *Majestic Security* located at 6947 W. Archer, telephone number listed as 773-233-6400.

If you have any questions, please contact me at 312-745-3585. Thank you for your assistance.

Sincerely,

Investigator Ivette M. Cotto #240
Office of Professional Standards



C. R. 278101
A. R. RENTIS 55A

OFFICE OF PROFESSIONAL STANDARDS

01 Mar 2002
CR. 278101

The following is in essence but not verbatim a summary statement taken in question-and-answer format of Sgt. Michael Hencke #1842 relative to the incident that occurred on 03 February 2002, at approximately 0230 hours, at [REDACTED]

DEPARTMENT MEMBER

Statement of Witness: Sgt. Michael Hencke #1842

Statement being taken at: Office of Professional Standards, 10 W. 35th Street

Questioned and typed by: Inv. Ivette M. Cotto #210

Date and Time: 01 March 2002 - 0500 hours

Witnessed by: No one

Q What is your name, star number and unit of assignment?

A Michael Hencke, Star #1842, Unit 008

Q What is your current age and date of birth?

A [REDACTED] 40, 62

Q What is your Social Security number?

A [REDACTED]

Q What is your date of appointment to the Department?

A 19 Mar 62

Q How long have you been assigned to your present unit?

A Since 04 November 1992

Q Have you been advised that this is a witness statement and that there are no allegations being made against you?

A Yes

Q Are you prepared at this time to provide a statement without counsel?

A Yes *msk*

Inv. Cotto

OFFICE OF PROFESSIONAL STANDARDS
Statement of Witness, Sgt. Michael Hencke #1842
CR. 278101
P. 2

- Q Are you aware that this statement has the standing of an official Department report and that any deviation from the truth would be in direct violation of Department Rules and Regulations, resulting in allegation or charges being placed against you?
- A Yes
- Q What was your duty status and assignment on 03 February 2002?
- A This statement is not being given voluntarily but under duress. I am only giving this statement at this time at this time because I know I could lose my job if I refuse. On-duty, desk Sergeant.
- Q On 03 February 2002, did you receive a telephone call at the front desk of District 008 from a male who identified himself as PO Michael Tracy #14349?
- A Yes
- Q What was the nature of that call?
- A Michael was upset. I was aware of his personal problems about his girlfriend. He wanted to talk to somebody. So we talked for a couple of minutes.
- Q Explain, in detail, the conversation of that call?
- A He was talking about his girlfriend had a boyfriend. He shouldn't have let her get on the job. He was told that there was a possibility that she was with somebody else. I thought she had been drinking.
HE WAS 
- Q What else from that conversation?
- A That's about it.
- Q You stated that Officer Tracy was upset, explain.
- A It was obvious in the tone of his voice, his annunciation, the terminology, he stated something to the fact that he felt like shooting himself.
- Q You stated that you thought Officer Tracy may have been drinking.
- A He didn't say he was drinking. He was slurring, highly excited and repetitious.
- Q Prior to this telephone call, did you know Officer Tracy?
- A Yes
- Q How?
- A I've worked with him on and off.

ms

John GAD

C. R. 278101
ATTACHMENT # 56

OFFICE OF PROFESSIONAL STANDARDS
Statement of Witness, Sgt. Michael Hencke #1842
CR. 278101
P. 3

- Q Had Officer Tracy indicated to you in the telephone call that he had discharged his firearm on this day?
- A He talked about shooting himself. I don't think he said anything about discharging his firearm because I would have done more than just sent a sergeant over there.
- Q At some point, did Officer Tracy's girlfriend, PPO Karen Magers, talk to you on the telephone?
- A Yes, much later.
- Q How long on the telephone with Officer Tracy?
- A A few minutes, less than a half hour.
- Q What was the nature of the conversation you had with PPO Magers?
- A I spoke with Officer Tracy, sent Sgt. Vasquez to his home. I was pretty confident he wasn't going to kill himself, he wanted a shoulder to cry on. PPO Magers called me later about five to ten minutes later, after I got off the phone with Officer Tracy. She told me that she got Mike's gun and everything was okay. I told her the police were on their way. She was screaming on the telephone and I told her not to worry that the police were on their way.
- Q Did she indicate to you that she did not need the police?
- A I don't she said that she didn't want the police. I jumped the statement and told her the police were on the way.
- Q Prior to this telephone call, did you know PPO Karen Magers?
- A No
- Q After the call ended with Officer Tracy, what did you do next?
- A I got a hold of Beat 810, Sgt. Vasquez.
- Q What did you tell Sgt. Vasquez?
- A I didn't talk to him directly. I communicated through PDT, I don't remember what I said but did send him over to Officer Tracy's house.
- Q Did you notify anyone else other than Sgt. Vidal Vasquez #2664 about the call?
- A No
- Q Did you speak to Sgt. Vasquez during or after he responded to [REDACTED]?
- A Am not sure. I had a concern for Officer Tracy. *Not*

M. Hencke

278101
66
ATTACHED



Polaroid photographs by OPS Investigator Ivette M. Cotto #210
taken of 6947 W. Archer.

278101
58

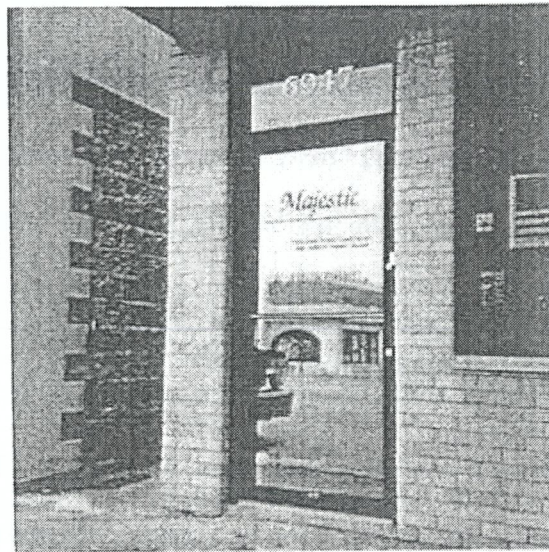
OFFICE OF PROFESSIONAL STANDARDS

01 Mar 2002
C.R. 278101



Polaroid photographs by OPS Investigator Ivette M. Cotto #210
taken of 6947 W. Archer.

278101
58A



Polaroid photographs by OPS Investigator Ivette M. Cotto #210
taken of 6947 W. Archer.

278101
58B

OFFICE OF PROFESSIONAL STANDARDS
Statement of Witness, PO Joseph Engelhardt #4941
CR. 278101
P. 7

Q At the time of the incident, were you aware of any misconduct by Officer Tracy?
A No

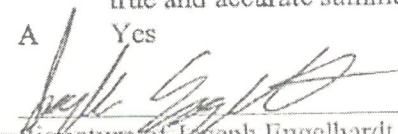
Q You are stating that you had no knowledge that shots were fired at [REDACTED] and that you were unaware of any misconduct by Officer Tracy. Correct?
A Yes

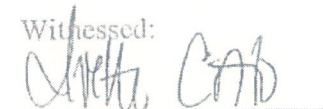
Q Did you notify any Department about what occurred at [REDACTED] after you left the hospital?
A Might have told somebody that I took Officer Tracy to the hospital.

Q Were you aware of any misconduct by Sgt. Vasquez and/or Lt. McGivney while at the scene?
A No

Q Is there anything you wish to add to this statement?
A No

Q After reading this statement, consisting of 7 pages and being provided with the opportunity to make corrections, additions or deletions, and finding it to be true and accurate summarization of what you have stated, will you sign it?
A Yes


Signature of Joseph Engelhardt
Date: 15-MAR-2002
Time: 0650

Witnessed:

Signature of Investigator

WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL
CHICAGO POLICE DEPARTMENT

NAME OF WITNESS HAYMAN, Phillip	RANK PO	STAR NO 6199	UNIT OF ASSIGNMENT 008
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☒ WAIVER OF COUNSEL

I, the undersigned, knowingly and voluntarily wish to proceed with the hearing, examination or interrogation without having counsel of my own choosing present to advise me during this hearing, examination or interrogation.

Date-Time

15 MAR 07

Signature

Phillip Hayman



REQUEST TO SECURE LEGAL COUNSEL

I, the undersigned, having been advised of my right to counsel of my own choosing at all hearings, elect to secure the services of counsel and agree to proceed with said hearing, examination or interrogation at

_____ hours, on _____, 20 _____, in Room _____

_____ Chicago, Illinois, at which time said hearing, examination or interrogation shall be commenced. By placing my signature upon this statement, I affirm my wish to secure said counsel and agree to comply with Department hearing, examination or interrogation scheduled on the date aforesaid.

Date-Time

Signature

WITNESS

Chelle CAD

DISTRIBUTION
COMPLAINT REGISTER INVESTIGATION

Original to investigator's file
Duplicate to affected member

CPD-44 106(Rev. 10/93)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO.

66

OFFICE OF PROFESSIONAL STANDARDS

15 March 2002
CR.278101

The following is in essence but not verbatim a summary statement taken in question-and-answer format of PO Phillip Hayman #6199 relative to the incident that occurred on 03 February 2002, at approximately 0230 hours, at [REDACTED]

DEPARTMENT MEMBER

Statement of Witness: PO Phillip Hayman #6199

Statement being taken at: Office of Professional Standards, 10 W. 35th Street

Questioned and typed by: Inv. Ivette M. Cotto #210

Date and Time: 15 March 2002 - 0645 hours

Witnessed by: No one

Q What is your name, star number and unit of assignment?

A Phillip Hayman, Star #6199, Unit 008

Q What is your current age and date of birth?

A 33, [REDACTED] 69

Q What is your Social Security number?

A [REDACTED]

Q What is your date of appointment to the Department?

A 08 Jun 98

Q How long have you been assigned to your present unit?

A My whole career.

Q Have you been advised that this is a witness statement and that there are no allegations being made against you?

A Yes

Q Are you prepared at this time to provide a statement without counsel?

A Yes

Q Are you aware that this statement has the standing of an official Department report and that any deviation from the truth would be in direct violation of Department Rules and Regulations, resulting in allegation or charges being placed against you?

A Yes

OFFICE OF PROFESSIONAL STANDARDS
Statement of Witness, PO Phillip Hayman #6199
CR. 278101
P. 2

Q What was your duty status and assignment on 03 February 2002?

A This statement is not being given voluntarily but under duress. I am only giving this statement at this time at this time because I know I could lose my job if I refuse.
On-duty, Beat 811

Q On 03 February 2002, your partner was PO Joseph Engelhardt, is this correct?

A Yes

Q On 03 February 2002, at approximately 0230 hours, you went to [REDACTED] is this correct?

A Yes

Q How did you come about arriving there?

A

Q Your went to [REDACTED] on 03 February 2002 because Sgt. Vasquez motioned for you and your partner to follow him. Correct?

A Yes

Q What did you observe upon your arrival?

A We walked in the house with Sgt. Vasquez. Officer Tracy was in the kitchen. The living room and kitchen is one large room. We stayed in the living room.

Q Had you known Officer Tracy prior to this incident?

A Just from around the station. I don't know him. I've never worked with him.

Q A woman answered the door when you, your partner and Sgt. Vasquez arrived. Correct?

A Right.

Q Had you ever seen this woman before?

A Never

Q At this time, I will tell you that the woman's name is PPO Karen Magers so that we may refer to her by name?

A Okay.

Q What did PPO Magers tell Sgt. Vasquez when she answered the door?

A I have no idea.

Phillip Hayman
CR#278101 Page 000230

C. R. 278101
ATTACHMENT # 67

OFFICE OF PROFESSIONAL STANDARDS
Statement of Witness, PO Phillip Hayman #6199
CR. 278101
P. 3

Q What happened in the kitchen?

A I was told by Sgt. Vasquez to stay with Officer Tracy in the kitchen. Sgt. Vasquez walked with PPO Magers away from the area, I don't know why.

Q What was PPO Magers' demeanor when she answered the door?

A I don't recall. She didn't look upset.

Q Did PPO Magers hand Sgt. Vasquez a gun when she opened the door?

A I don't know.

Q Did you speak with Officer Tracy?

A I sat there with him, he looked upset. I just sat there with him. I didn't know what was going on so I didn't want to say anything.

Q Did you observe an open container of alcohol on the kitchen table?

A No.

Q Was Officer Tracy under the influence of alcohol?

A No. I didn't smell nothing. He looked upset because his eyes were watery, he looked like he was crying.

Q Did Sgt. Vasquez hand you or your partner a gun?

A I believe he handed my partner a gun, a semiautomatic. I have no idea why. I am not even sure what Sgt. Vasquez said to my partner when he handed him the gun.

Q Was Officer Tracy saying anything?

A He didn't say anything. He was just sniffing.

Q Did you observe any bullet holes at this location?

A No

Q How long was Sgt. Vasquez and PPO Magers gone?

A I don't recall how long.

Q Did Sgt. Vasquez speak to Officer Tracy before walking away from him?

A No. Sgt. Vasquez seemed to be mostly with PPO Magers and told me to stay with Officer Tracy. He might have said something to Officer Tracy, but I don't recall.

Phillip Hayman
CR#278101 Page: 000231

C. R. 278101
ATTACHMENT 67

OFFICE OF PROFESSIONAL STANDARDS
Statement of Witness, PO Phillip Hayman #6199
CR. 278101
P. 4

Q What happened when Sgt. Vasquez returned?
A I think PPO Magers was in another room when Sgt. Vasquez returned. We were still with Officer Tracy in the room. I think he said that a lieutenant was on the way, I also heard him call for a lieutenant over the radio.

Q For what purpose did Sgt. Vasquez request a lieutenant?
A I don't know.

Q The lieutenant that responded was Lt. McGivney?
A Correct

Q What happened upon Lt. McGivney's arrival?
A He came in and spoke with Sgt. Vasquez away from myself and Officer Tracy. Lt. McGivney then told myself and my partner to take Officer Tracy to the hospital.

Q For what purpose did Lt. McGivney want to go to Officer Tracy?
A I don't know

Q So you transported Officer Tracy to the hospital but you have no idea why?
A Right. I think he said that Officer Tracy was going to admit himself to the hospital.

Q Was there any verbal contact between you, your partner or Officer Tracy in the car?
A No, he kept on asking for a cigarette.

Q Was Officer Tracy admitted to the psychiatric ward at the hospital?
A I don't know if it was a psychiatric ward.

Q What verbal contact did Lt. McGivney have with PPO Karen Magers?
A I don't know.

Q What verbal contact did Lt McGivney have with Officer Michael Tracy?
A When I was there I didn't see him have any. Officer Tracy was pretty much with me the whole time when Lt. McGivney was there. I did go out to the car a couple of times just to look at the PDT.

Q Describe PPO Magers when you first observe her and her overall demeanor.
A She's calm.

Q Describe Officer Tracy when you first observe him and his overall demeanor.
A He looked upset.

OFFICE OF PROFESSIONAL STANDARDS
Statement of Witness, PO Phillip Hayman #6199
CR. 278101
P. 5

Q What verbal contact did you have with PPO Magers?

A I didn't have any with her.

Q What verbal contact did you have with Officer Tracy?

A He just wanted a cigarette.

Q Did you ever learn while at the scene, what was going on?

A No

Q The entire time you are at the scene, you had little verbal contact with Officer Tracy but nothing regarding what had occurred. Correct?

A Correct

Q What did you do after leaving Officer Tracy at the hospital?

A I don't know, it may have been time to go home.

Q While at the scene, were you aware of any misconduct by Department members?

A No

Q Did you tell any Department member about what occurred at [REDACTED] after you left?

A No, there was nothing to tell because I didn't think anything happened.

Q What have you learned since of about happened?

A Some kind of investigation going on with Officer Tracy I heard something that shots were fired, like rumors.

Q What did Sgt. Vasquez and/or Lt. McGivney tell you about the incident?

A They didn't say anything.

Q Is there anything you wish to add to this statement?

A No

OFFICE OF PROFESSIONAL STANDARDS
Statement of Witness, PO Phillip Hayman #6199
CR. 278101
P. 6

Q After reading this statement, consisting of 6 pages and being provided with the opportunity to make corrections, additions or deletions, and finding it to be true and accurate summarization of what you have stated, will you sign it?

A Yes

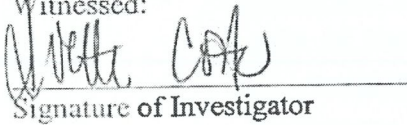


Signature of Phillip Hayman

Date: 15 MAR 02

Time: 0725

Witnessed:



Signature of Investigator

ROUTING SLIP/ INTRA OFFICE MEMO
CHICAGO POLICE

DATE 19 Mar 2002

TO: Commander - 8th District

FROM: Inv. Ivette Cotto #210 - OPS

SUBJ: SERVE PO

☐ FOR YOUR INFORMATION	☐ READ - INITIAL - FORWARD
☐ FOR YOUR ACTION & REPORT	☐ INVESTIGATE & REPORT
☐ FOR YOUR ACTION NO REPORT REQUIRED	☐ FOR ASSIGNMENT
☐ FOR REVIEW/SUGGESTION & REPORT	☐ RETURNED - FURTHER STUDY OR CORRECTION
☐ FILE INFORMATION ONLY	☐ OTHER

Please have a supervisor from your command serve

PO Michael TRACY #14349 with the attached document.

Officer TRACY is currently on medical status B (ambulatory)

and resides at [REDACTED]. Officer Tracy is also

assigned to the 008th District. Please have Officer

Tracy served by 23 March 2002 and the serving supervisor

submit a brief To-From report to the undersigned

indicating the date and time served. Thank you.

☐ REPORT OR RETURN BY	DATE	NO. OF COPIES	☐ REPLY ON THIS FORM
☐ CONTINUED REVERSE SIDE	SIGNATURE		

CPD - 11.178 (REV. 9/77)

278101
68

REQUEST FOR INTERVIEW/STATEMENT/REPORT
CHICAGO POLICE DEPARTMENT

DATE
19 March 2002

TO: NAME TRACY, Michael RANK PO STAR NO. 14349 UNIT 008

SUPERVISOR TO ACCOMPANY ABOVE PERSONNEL ☐ YES ☒ NO

YOUR APPEARANCE IS REQUIRED

AT ☐ INTERNAL AFFAIRS DIVISION 3510 S. MICHIGAN, 5TH FLOOR PAX 0610
☒ OFFICE OF PROFESSIONAL STANDARDS 10 W. 35TH Street, 12TH Floor PAX 0113, Bell 312-745-3585
ON-DATE 26 March 2002 TIME 1300

AS ☒ ACCUSED ☐ WITNESS ☐ VICTIM
FOR ☐ INTERVIEW ☒ FORMAL STATEMENT ☐ SUBMISSION OF A TO-FROM SUBJECT REPORT

CONCERNING - NATURE OF COMPLAINT
Allegations of misconduct.

REFERENCE - DATE 03 February 2002 TIME 0230 LOCATION [REDACTED] RD NO. HH165372 CB NO. None OTHER

YOU ARE TO REPORT TO

RANK NAME STAR NO. PAX BELL
Inv. Ivette Cotto 210 0113 312-745-3585

NOTE: The member **MUST** notify the investigator of his/her inability to keep this scheduled appointment.

NOTIFICATION MADE TO
COMMANDER UNIT 008 DATE 19 Mar 02 TIME

NOTIFICATION MADE BY
Inv. Ivette Cotto #210 UNIT 113 HOW Mail

SIGNATURE OF REQUESTER

APPROVED

PLEASE CALL IF YOU CANNOT MAKE APPOINTMENT

COMPLAINT REGISTER NO.
278101
ATTACHMENT NO.

OFFICE OF PROFESSIONAL STANDARDS

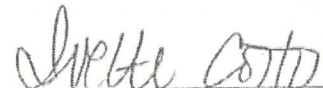
19 Mar 2002
CR. 278101

TO: Chief Administrator
Office of Professional Standards

FROM: Inv. Ivette M. Cotto #210

SUBJECT: INFORMATION PER PERSONNEL

On 19 Mar 02, the R/I contacted the Department's Personnel Division and spoke with PO Bridgette Messino #9484. Upon inquiry, Officer Messino stated that a Probationary Police Officer is not violating any Department rules or regulations if he/she had a non-alcoholic business license in their name. Officer Messino stated that she would double-check the Department's policy to confirm that there are no violations. On 20 Mar 02, the R/I contacted Officer Messino and she stated that after a careful review of the General Orders and ADS Training material, there is no indication that a PPO holding a non-alcoholic business license is in violation of Department rules or regulations.


Inv. Ivette M. Cotto #210

Approved:


OPS Supervisor

278101
70

NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT

GIVEN TO MEMBER
DATE TIME

20 Mar 02 1410

NAME OF ACCUSED
MAGERS, Karen

RANK
PPO

STAR NO

UNIT OF ASSIGNMENT
~~008~~ 044

The law provides that if you are to be charged with a criminal offense or if your separation from the Department will be sought, you are to be advised in writing of the specific illegal or improper acts alleged against or attributed to you.

Furthermore, Department policy provides that you have a right to be advised in writing of the names of complainants and allegations against you prior to any questioning of you concerning the allegation regardless of the nature of the allegation and even if the allegation is such that it will not result in the filing of criminal charges or the filing of separation charges.

Accordingly, you are hereby advised that the following allegations have been attributed to you:

COMPLAINANTS/VICTIMS:

1. Captain Robert EVANS, Star #70, Unit 008

2. OPS Investigator Ivette Cotto #210

3.

4.

It is alleged that on 03 February 2002, at approximately 0251 hours, at [REDACTED] you: had knowledge of misconduct on the part of a Department member and failed to follow the provisions of General Order 93-3, Addendum 02A, Section II, A-5 and B-1.

The undersigned hereby acknowledges receipt in writing of the charges or allegations against him.

Signature

Karen M. Magers

WITNESSES

Ivette Cotto
A. Mach 216

PREPARE IN DUPLICATE:

Original to investigator's file

Duplicate to affected member

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO.

71

CPD-44 115(Rev. 5/89)

ADMINISTRATIVE PROCEEDINGS RIGHTS
(Statutory)
CHICAGO POLICE DEPARTMENT

GIVEN TO MEMBER
DATE TIME

20 Mar 08 1410

NAME OF ACCUSED
MAGERS, Karen

RANK
PPO

STAR. NO.

UNIT OF ASSIGNMENT
044

The law provides that you are to be advised of the following:

1. Any admission or statement made by you in the course of this hearing, interrogation or examination may be used as the basis for your suspension or as the basis for charges seeking your removal or discharge or suspension in excess of 30 days.
2. You have the right to counsel of your choosing to be present with you to advise you at this hearing, interrogation or examination and you may consult with him as you desire.
3. You have a right to be given a reasonable time to obtain counsel of your own choosing.
4. You have no right to remain silent. You have an obligation to truthfully answer questions put to you. You are advised that your statements or responses constitute an official police report.
5. If you refuse to answer questions put to you, you will be ordered by a superior officer to answer the questions.
6. If you persist in your refusal after the order has been given to you, you are advised that such refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and will serve as a basis for which your discharge will be sought.
7. You are further advised that by law any admission or statement made by you during the course of this hearing, interrogation or examination and the fruits thereof cannot be used against you in a subsequent criminal proceeding.

The undersigned hereby acknowledges that he was informed of the above rights.

Signature

Karen M. Magers

WITNESS

Dette (P.A.)

St. Michael 216

DISTRIBUTION
COMPLAINT REGISTER INVESTIGATION

Original to Investigator's file
Duplicate to affected member

CPD-44 105(Rev. 10/93)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO.

72

WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL
CHICAGO POLICE DEPARTMENT

NAME OF ACCUSED MAGERS, Karen	RANK PPO	STAR NO	UNIT OF ASSIGNMENT 044
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WAIVER OF COUNSEL

☐

I, the undersigned, hereby acknowledge that I have received and read the charges/allegations against me and I knowingly and voluntarily wish to proceed with the hearing, examination or interrogation without having counsel of my own choosing present to advise me during this hearing, examination or interrogation.

Date-Time _____ Signature _____

☒

REQUEST TO SECURE LEGAL COUNSEL

I, the undersigned, having been advised of my right to counsel of my own choosing at all hearings, examinations and interrogations in connection with the charges/allegations against me which have been given to me in writing and receipt of which is hereby acknowledge, elect to secure the services of counsel and agree to proceed with said hearing, examination or interrogation at

1030 hours, on 25 march, 20 02, In Room OPS-12th floor

Chicago, Illinois, at which time said hearing, examination or interrogation shall be commenced. By placing my signature upon this statement, I affirm my wish to secure said counsel and agree to comply with Department hearing, examination or interrogation scheduled on the date aforesaid.

Date-Time 20 MAR 02/14/4 Signature Karen M. Magers

WITNESS

Shelle Cobb
SL-Trade 216

DISTRIBUTION
COMPLAINT REGISTER INVESTIGATION

Original to investigator's file
Duplicate to affected member

CPD-44 106(Rev. 10/93)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO. 73

NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT

GIVEN TO MEMBER
DATE TIME

25 Mar 02 1205

NAME OF ACCUSED
MAGERS, Karen

RANK
PPO

STAR NO

UNIT OF ASSIGNMENT
044

The law provides that if you are to be charged with a criminal offense or if your separation from the Department will be sought, you are to be advised in writing of the specific illegal or improper acts alleged against or attributed to you.

Furthermore, Department policy provides that you have a right to be advised in writing of the names of complainants and allegations against you prior to any questioning of you concerning the allegation regardless of the nature of the allegation and even if the allegation is such that it will not result in the filing of criminal charges or the filing of separation charges.

Accordingly, you are hereby advised that the following allegations have been attributed to you:

COMPLAINANTS/VICTIMS:

1. Cpt. Robert EVANS, Star #70, Unit 008
2. OPS Investigator Ivette COTTO #210
- 3.
- 4.

It is alleged that on 03 February 2002, at approximately 0251 hours, at [REDACTED], you had knowledge of misconduct on the part of a Department member and failed to follow the provisions of General Order 93-3, Addendum 2B, Section II, A-5 and B-1; and you received numerous telephone calls from PO Michael TRACY #14349 indicating that he would hurt himself and you took no action to ensure his well-being.

It is further alleged that during an unknown date and time, at [REDACTED] you were aware of Officer TRACY accidentally discharging his firearm and failed to report same

The undersigned hereby acknowledges receipt in writing of the charges or allegations against him.

Signature Karen M. Magers

WITNESSES

Ivette Cotto

PREPARE IN DUPLICATE:
Original to investigator's file
Duplicate to affected member

CPD-44 115 (Rev. 5/89)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO. 74

ADMINISTRATIVE PROCEEDINGS RIGHTS
(Statutory)
CHICAGO POLICE DEPARTMENT

GIVEN TO MEMBER
DATE 25 Mar 02 TIME 1200

NAME OF ACCUSED MAGERS, Karen	RANK PPO	STAR. NO.	UNIT OF ASSIGNMENT 044
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The law provides that you are to be advised of the following:

1. Any admission or statement made by you in the course of this hearing, interrogation or examination may be used as the basis for your suspension or as the basis for charges seeking your removal or discharge or suspension in excess of 30 days.
2. You have the right to counsel of your choosing to be present with you to advise you at this hearing, interrogation or examination and you may consult with him as you desire.
3. You have a right to be given a reasonable time to obtain counsel of your own choosing.
4. You have no right to remain silent. You have an obligation to truthfully answer questions put to you. You are advised that your statements or responses constitute an official police report.
5. If you refuse to answer questions put to you, you will be ordered by a superior officer to answer the questions.
6. If you persist in your refusal after the order has been given to you, you are advised that such refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and will serve as a basis for which your discharge will be sought.
7. You are further advised that by law any admission or statement made by you during the course of this hearing, interrogation or examination and the fruits thereof cannot be used against you in a subsequent criminal proceeding.

The undersigned hereby acknowledges that he was informed of the above rights.

Signature

Karen M. Magers

WITNESS

[Signature]

DISTRIBUTION
COMPLAINT REGISTER INVESTIGATION

Original to investigator's file
Duplicate to affected member

CPD-44 105(Rev. 10/93)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO. 75

OFFICE OF PROFESSIONAL STANDARDS

25 Mar 2002
CR. 278101

The following is in essence but not verbatim a summary statement taken in question-and-answer format of PPO Karen MAGERS relative to the incident that occurred on 03 February 2002, at approximately 0230 hours, at [REDACTED]

Statement of Accused: PPO Karen MAGERS
Statement being taken at: Office of Professional Standards, 10 W. 35th Street
Questioned and typed by: Inv. Ivette M. Cotto #210
Date and Time: 25 March 2002 - 1220 hours
Witnessed by: FOP Attorney, Jim Thompson

Q What is your name, star number and unit of assignment?
A Karen Magers, Probationary Police Officer, no star number assigned yet and unit 044
Q What is your current age and date of birth?
A 27, [REDACTED] 4,
Q What is your Social Security number?
A [REDACTED]
Q You are a probationary police officers since October 29, 2001, correct?
A Yes
Q Have you been advised in writing of the specific charges made against you, the name of the complainant, the date and time of the incident and your administrative rights?
A Yes
Q Are you accompanied by counsel of your choosing, if so, identify him/her for the record?
A Yes, Jim Thompson

Ivette Cotto
CR#278101 Page: 000243

C. B. 278101
ATTORNEY # 76

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Statement of Accused, PPO Karen MAGERS
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Q Do you understand this is an official Police Department report and that any deviation from the truth could result in additional charges being placed against you?

A Yes

Q What was your duty status and assignment on 03 February 2001?

A This statement is not being given voluntarily but under duress. I am only giving this statement at this time because I know I could lose my job if I refuse.
Off-duty

Q You reside at [REDACTED] with PO Michael Tracy #14349, is this correct?

A Yes

Q How long have you lived with Officer Tracy at this location?
A Since October 1997

Q On 03 February 2002, you were still living with Officer Tracy, correct?
A Yes

Q Prior to your arrival at [REDACTED] on 03 February 2002, at approximately 0251 hours, where were you?
A I was out with some friends at the academy on the North side at a bar.

Q What time did you leave your house on 02 February 2002?
A About 8:30 p.m.

Q Who were with from the academy?
A Carey Sneider, she picked me up and we met a group there. Jessica Wier, we picked her up next. Brandau, I forgot his first name, Grenado, I don't his first name, Wendy Weller. That's about it.

Q What bar did go you to?
A We either went to club Eden or the Lincoln Tap. I can't remember.

Q When you left your home on 02 February 2002, was Officer Tracy there?
A Yes he was.

Q Did you speak to Officer Tracy prior to leaving your home on 02 February 2002?
A Yes

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Q What was the extent of that conversation?
A I'm leaving bye.

Q How would you describe your relationship on that day?
A He was supposed to move out March 1st. We were breaking up. He's been sleeping in the basement of our house. We were just being nice to each other until he left. We weren't fighting or anything.

Q Where was your son when you left home?
A By his friend's house. He stayed that night over there.

Q Your son is twelve?
A He's eleven.

Q What was Officer Tracy's demeanor when you left home?
A Quiet. I've noticed he's been drinking a lot. He wasn't drinking when I left but he's been drinking everyday.

Q Did he have any plans on 02 February 2002?
A Not that I know of.

Q Did he have dinner with his mother on 02 February 2002?
A I don't know.

Q How long were away from home?
A I got back home close to around two forty-five that morning.

Q Approximately how many times did you speak with Officer Tracy over the telephone after you left your home?
A I know he left a lot of messages on my voice mail. I would say about three.

Q At what point did you check your voice mail?
A I kept hearing it going off. I think I checked my voice mail about five times.

Q When did you receive the first call from Officer Tracy on your voice mail?
A I don't remember the exact time. It was probably about twelve or one o'clock.

Q When you checked your voice mail five times, were any of those messages from Officer Tracy?
A Yes, they were.

Karen Magers

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ATTORNEY # 76

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Q What did he state?

A He was telling me that I better get home. Where are you? How come you're not answering your phone. They were really brief messages.

Q Approximately how many voice mail messages did you receive from Officer Tracy?

A I'd say about thirteen.

Q The first time you checked your voice mail was there a message from Officer Tracy?

A Yes

Q Did Officer Tracy ever indicate to you in any of those voice mail messages that he would hurt himself and/or commit suicide?

A No, it wasn't until I spoke with him on the phone and I was on my way home. He said something to like you are not going to have to worry about me smoking in the house.

Q Was on your way home the only time you talked to Officer Tracy since you left?

A Yes

Q Were all the calls received from Officer Tracy stating essentially that same thing that he wanted you to come home?

A Yeah and "how come your not answering the phone, where are you?"

Q Did Officer Tracy sound like he had been drinking to you?

A Yes

Q In what way?

A Slurred speech, I could tell by the crackling of his voice.

Q What occurred once your arrived home?

A When I arrived home, my side door was open, I walked in the house, I think he had one kitchen light and the hallway light was on in the house. Everything else was dark. He was sitting at the kitchen table, his weapon was on top of the table with an empty magazine and I noticed three spent casings on the kitchen floor. I immediately grabbed the weapon and the magazine. I put it into my waist band. He looked completely out of it, in that, he was drunk. He had a phone to his ear. I asked who he was talking to and he said that police, the desk. I grabbed the phone from him. The other person on the line, a male, told me that Officer Tracy had attempted to commit suicide and I said that I needed a supervisor over here immediately, shots had been fired. I hung up the phone. I heard a car outside. I figured it was the police already. I answered the door. I saw Sgt. Vasquez and two police officers with him. I gave Sgt. Vasquez the weapon that was on the table. Sgt.

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Vasquez asked me where he was and I said the kitchen table. They came inside. The other officers were at the front door. Sgt. Vasquez spoke with me and the two officers starting talking to Officer Tracy, the officers had to help Officer Tracy off the chair and into the front room. I told Sgt. Vasquez what happened, that I was out, came home and that's what I found. We started looking around, I discovered three bullet holes in my mirror cabinet and that my sliding door was gone that leads to outside. There were two bullet holes in my side door. The two officers were talking to Officer Tracy in the front room, I don't know what they were talking about. They took him outside. Sgt. Vasquez and myself walked to the kitchen and I believe at that point, Lt. McGivney arrived. Lt. McGivney spoke with Officer Tracy outside and then with Sgt. Vasquez. Sgt. Vasquez and Lt. McGivney said everything was going to be okay. They said they were taking him to the hospital.

Q Did Lt. McGivney know that shots had been fired in the house?
A At that point, I don't know.

Q Did Sgt. Vasquez recover any of the shell casings?
A No. Not to my knowledge.

Q Did you observe any alcoholic beverages on the kitchen table when you observed Officer Tracy?
A He always kept a bottle of VO, there was a glass that was half-empty of VO.

Q At what point, did you discover that Officer Tracy had discharged his firearm?
A When I saw the weapon and the empty magazine, I figured that he had discharged his firearm.

Q What did you do once the police and Officer Tracy left your home?
A I started cleaning up. The cold air was coming into my house from the broken sliding door. I threw the shell casings in the my kitchen garbage can. There was only three that I found.

Q Did you have a sliding door boarded up?
A That same day, in the afternoon.

Q Did you question Sgt. Vasquez and/or Lt. McGivney as to what they were going to do about this incident?
A No. They just left my house and didn't say anything. They said that they were going to get him help.

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Q When you observed Officer Tracy when you got home, what was his demeanor.
A You could tell he was really depressed. His eyes were blood shot, he was sluggish. Almost to the point where he was going to pass out.

Q What notifications did you make regarding this incident?
A I notified my home room instructor on Sunday evening. I paged her after the Evidence Technician left my house. I told her exactly what happened what I related to you today and she told me type up a To-From and I gave it to her Monday morning which I did. I believe my home room instructor told me that she would notify Sgt. O'Brien from the academy.

Q Do you have a copy of that report?
A Yes, I do.

Q I will make a copy of that report for the file. Okay?
A Okay. The time on the report should be 1620 hours.

Q What happened upon the arrival of Sgt. Tandyk later that day?
A I heard the door and opened it. She said that she was there to make sure everything was okay. She asked if she could come in and I let her in. She came in and sat at my kitchen table. I'm here for the incident last night making sure that everything is okay. As she was walking back to her car, she observed the open door to my bedroom and observed a broken mirror and said, "This is more serious than I thought." She walked back outside. She was out there for a while. I called Sgt. Vasquez, he had left me a business card with his information. She came back in and told me that an ET was coming out. A commander showed up and others.

Q Did you notify any neighbors of this incident?
A Yes I did

Q Who?
A Alex Martinez

Q Is she an officer?
A Yes

Karen Magers
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Q What did you tell her and when?

A I think I was on my way home, I called her and asked her if my door was open because Officer Tracy had told me that I wouldn't have to worry about the smoking and the ventilation. Officer Martinez told me that she saw my blinds blowing from the open window.

Q Other than Officer Martinez, did you tell any other neighbors what occurred?

A No

Q When you were pointing out to Sgt. Vasquez bullet holes, you indicated to him that some were old and some were new. You stated to him that the old ones were from Officer Tracy accidentally discharging his firearm while cleaning it, is this correct?

A Yes

Q When did Officer Tracy discharge his firearm while cleaning it?

A I believe in 1997

Q Did you witness the incident?

A Yes

Q Did Officer Tracy make any notifications of that incident?

A Not that I know of. He was showing me how to clean the weapon because we have a security business together.

Q Who else was present when this incident occurred?

A Just me and him.

Q How many times did the weapons discharge?

A Just once

Q How many times did Officer Tracy discharge his weapons inside the house beside the incident that occurred on 03 February 2002 and in 1997?

A None

Q What is your relationship now with Officer Tracy?

A Friends.

Q Does he still reside there?

A No, he does not.

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- Q When did Officer Tracy move out?
A After the hospital from 03 February 2002, he never came back. He got movers about two weeks ago.
- Q Where is Officer Tracy residing now?
A 52nd and Kolin.
- Q Is he residing with anyone?
A I don't know.
- Q At this time, I will hand you a copy of General Order 93-3, Addendum 2B, did you have knowledge of misconduct on the part of a Department member and failed to follow the provisions of General Order 93-3, Addendum 2B, Section II A-5 and B-1?
A No, I submitted a written To-From report to my home room instructor, Officer Bradley.
- Q Did you receive numerous telephone calls from Officer Tracy indicating that he would hurt himself and you took no action to ensure his well-being?
A No. He didn't indicate that he was going to hurt himself.
- Q Would you provide cellular telephone records to the Office of Professional Standards for the dates February 2nd and 3rd, 2002?
A No, not at this time.
- Q Were you aware of Officer Tracy accidentally discharging his firearm and failing to report same?
A I am not aware of whether he reported or didn't. I know that he discharged.
- Q Is there anything you wish to add to this statement?
A I look forward to becoming a Chicago Police officer and I hope that the events from February 3rd do not have an adverse affect on my position as a police officer and at the time I became an aware of the incident, I notified a supervisor to the scene, I related to the sergeant that arrived and I notified my home room instructor at the academy.

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Q After reading this statement, consisting of 9 pages and being provided with the opportunity to make corrections, additions or deletions, and finding it to be true and accurate summarization of what you have stated, will you sign it?

A Yes

Q In the To/From report you submitted, you indicated that Officer Tracy was going to take his life, when did this occur?

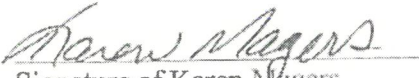
A That was when I got home, he said that he didn't want to live anymore.

Q In the To/From report you submitted you indicated that you attempted to calm Officer Tracy down, when did this occur?

A When I was talking to him on the way home. Officer Sneider gave me a ride home.

Q Were you present when Officer Tracy discharged his firearm on 03 February 2002?

A No


Signature of Karen Magers
Date: 25 MAR 02
Time: 1:55 PM.

Witnessed:

Signature of Investigator

EDUCATION AND TRAINING DIVISION

3 FEBRUARY 2002

TO: Gary W. Schenkel
Assistant Deputy Superintendent
Education And Training Division

FROM: Karen M. Magers
Recruit
Group 01-9A

SUBJECT: Attempt Suicide

Recruit Magers was instructed by HRI Bradley to write a TO/FROM regarding an attempt suicide.

Recruit Magers was out with a group of classmates on 2 Feb 02 @ approx. 2030hrs. At approx. 0100 hr 3 FEB 02. Recruit Magers received a telephone call from her ex-boyfriend Mike Tracy #14349, a P.O. in the 008th District. Recruit Magers and Mike broke up a month ago but still reside in the [REDACTED] residence. Recruit Magers and Mike had a verbal agreement that on 1 Mar 02 Mike would move out of the residence. Mike requested to know my location and my estimated time of arrival. Recruit Magers stated she was on her way home and would be there shortly.

Recruit Magers at this time was unaware of the situation in her residence. Mike called Recruit Magers 13 times prior to her arrival home. He was very upset. He threatened he was going to take his life. Recruit Magers tried to talk to him in an attempt to calm him down.

At approximately 0245 hrs Recruit Magers arrived at her residence. She was very cautious due to her side door being open. She also noticed that her sliding door in her bedroom was broken. Upon entering the residence Recruit Magers observed Mike sitting at the kitchen table with his back to her. She noticed his weapon on the table with an empty magazine and holster. Recruit Magers immediately picked up the weapon and placed it in her waistband. She then observed Mike on the telephone. She then demanded to know whom he was talking to. Mike stated "the police" Recruit Magers asked what

C. R. 278101
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SUBJECT: Attempt Suicide

police? Where? And immediately grabbed the phone. He stated the desk... Recruit Magers began speaking with the officer and he stated that Mike was contemplating suicide. Recruit Magers stated she needed a supervisor immediately shots had been fired. The officer stated they were on their way. At approximately 0300 hours two uniform police officers, a sergeant and a lieutenant arrived. They spoke with Mike and took him out. At approximately 1030 hrs Recruit Magers had James Walsh, Director of Operations for Ranger Security owned by Mike Tracy come over and pick up his weapons.

Recruit Magers did not know if Mike would come home and did this for his/her safety. At approximately 1230hrs a repairman came out to board up the sliding door.

A criminal damage to property report was made RD#HH-165372 on 3 FEB 02 @ 0235-hrs. Evidence Technicians were also notified per SGT. 1620KM

Recruit Magers understands the importance and severity of this situation and will do everything she can to comply.

Karen M. Magers
Karen M, Magers Group 01-9A

APPROVED:

OFFICE OF PROFESSIONAL STANDARDS

25 Mar 2002
CR. 278101

TO: Chief Administrator
Office of Professional Standards

FROM: Inv. Ivette Cotto #210

SUBJECT: PO KATHY BRADLEY #9815

On 25 Mar 02, at 1355 hours, the R/I contacted PO Kathy Bradley #9815, home room instructor to PPO Karen Magers at the Department's Education and Training academy. Upon inquiry, Officer Bradley stated that on 03 February 2002, she received a telephone call from PPO Magers regarding an attempt suicide by an ex-boyfriend. Officer Bradley instructed PPO Magers to write a To/From report of the incident and submit it on 04 February 2002. Officer Bradley stated that she received Officer Mager's report on 04 February 2002.



Inv. Ivette Cotto #210

Approved:


OPS Supervisor

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REQUEST FOR INTERVIEW/STATEMENT/REPORT
CHICAGO POLICE DEPARTMENT

DATE
25 March 2002

TO: NAME MARTINEZ, Alexandria RANK PO STAR NO. 4544 UNIT 008

SUPERVISOR TO ACCOMPANY ABOVE PERSONNEL ☐ YES ☒ NO

YOUR APPEARANCE IS REQUIRED

AT ☐ INTERNAL AFFAIRS DIVISION 3510 S. MICHIGAN, 5TH FLOOR PAX 0610 ☒ OFFICE OF PROFESSIONAL STANDARDS 10 W. 35TH STREET, 12TH FLOOR PAX 0113 ON-DATE 28 March 2002 TIME 1700

AS ☐ ACCUSED ☒ WITNESS ☐ VICTIM
FOR ☐ INTERVIEW ☒ FORMAL STATEMENT ☐ SUBMISSION OF A TO-FROM SUBJECT REPORT

CONCERNING - NATURE OF COMPLAINT
Allegations of misconduct.

REFERENCE - DATE 03 February 2002 TIME 0230 LOCATION [REDACTED] RD NO. HH165372 CB NO. None OTHER

YOU ARE TO REPORT TO

RANK NAME STAR NO. PAX
Inv. Ivette Cotto 210 0113

NOTE: The member **MUST** notify the investigator of his/her inability to keep this scheduled appointment.

NOTIFICATION MADE TO
COMMANDER

UNIT 008 DATE 25 Mar 02 TIME 1500

NOTIFICATION MADE BY
Inv. Ivette Cotto #210

UNIT 113 HOW Fax and Mail

APPROVED

M. Saffy

SIGNATURE OF REQUESTER
Ivette Cotto

☒ Copy to unit/watch commander: If the requested member is not available due to being on medical, furlough, transfer, etc., YOU will notify I.A.D/O.P.S. immediately.

CPD-44.103 (REV. 12/93)

COMPLAINT REGISTER NO.
278101
ATTACHMENT NO.

79

NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT

GIVEN TO MEMBER
DATE TIME

26 Mar 02 1305

NAME OF ACCUSED
TRACY, Michael

RANK
PO

STAR NO
14349

UNIT OF ASSIGNMENT
008

The law provides that if you are to be charged with a criminal offense or if your separation from the Department will be sought, you are to be advised in writing of the specific illegal or improper acts alleged against or attributed to you.

Furthermore, Department policy provides that you have a right to be advised in writing of the names of complainants and allegations against you prior to any questioning of you concerning the allegation regardless of the nature of the allegation and even if the allegation is such that it will not result in the filing of criminal charges or the filing of separation charges.

Accordingly, you are hereby advised that the following allegations have been attributed to you:

COMPLAINANTS/VICTIMS:

1. Cpt. Robert EVANS, Star #70, Unit 008
2. OPS Investigator Ivette COTTO #210
- 3.
- 4.

It is alleged that on 03 February 2002, at approximately 0251 hours, at [REDACTED] you discharged a weapon without justification; failed to make proper notifications of a weapons discharge; failed to submit a weapons discharge report; and were intoxicated.

It is further alleged that you possess a handgun that is not registered with the City of Chicago.

It is further alleged that during an unknown date and time, at 5858 South Rutherford, you discharged your firearm and failed to make proper notifications.

The undersigned hereby acknowledges receipt in writing of the charges or allegations against him.

Signature

Michael Tracy

WITNESSES

White CAB

PREPARE IN DUPLICATE:

Original to investigator's file
Duplicate to affected member

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO.

80

CPD-44 115(Rev. 5/89)

ADMINISTRATIVE PROCEEDINGS RIGHTS
(Statutory)
CHICAGO POLICE DEPARTMENT

GIVEN TO MEMBER
DATE TIME

26 Mar 02 1305

NAME OF ACCUSED
TRACY, Michael

RANK
PO

STAR. NO.
14349

UNIT OF ASSIGNMENT
008

The law provides that you are to be advised of the following:

1. Any admission or statement made by you in the course of this hearing, interrogation or examination may be used as the basis for your suspension or as the basis for charges seeking your removal or discharge or suspension in excess of 30 days.
2. You have the right to counsel of your choosing to be present with you to advise you at this hearing, interrogation or examination and you may consult with him as you desire.
3. You have a right to be given a reasonable time to obtain counsel of your own choosing.
4. You have no right to remain silent. You have an obligation to truthfully answer questions put to you. You are advised that your statements or responses constitute an official police report.
5. If you refuse to answer questions put to you, you will be ordered by a superior officer to answer the questions.
6. If you persist in your refusal after the order has been given to you, you are advised that such refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and will serve as a basis for which your discharge will be sought.
7. You are further advised that by law any admission or statement made by you during the course of this hearing, interrogation or examination and the fruits thereof cannot be used against you in a subsequent criminal proceeding.

The undersigned hereby acknowledges that he was informed of the above rights.

Signature

Michael Tracy

WITNESS

Wade CAB

DISTRIBUTION
COMPLAINT REGISTER INVESTIGATION

Original to investigator's file
Duplicate to affected member

CPD-44 105 (Rev. 10/93)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO.

81

WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL
CHICAGO POLICE DEPARTMENT

NAME OF ACCUSED TRACY, Michael	RANK PO	STAR NO 14349	UNIT OF ASSIGNMENT 008
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WAIVER OF COUNSEL

☐

I, the undersigned, hereby acknowledge that I have received and read the charges/allegations against me and I knowingly and voluntarily wish to proceed with the hearing, examination or interrogation without having counsel of my own choosing present to advise me during this hearing, examination or interrogation.

Date-Time _____ Signature _____

☒

REQUEST TO SECURE LEGAL COUNSEL

I, the undersigned, having been advised of my right to counsel of my own choosing at all hearings, examinations and interrogations in connection with the charges/allegations against me which have been given to me in writing and receipt of which is hereby acknowledge, elect to secure the services of counsel and agree to proceed with said hearing, examination or interrogation at

1300 hours, on 29 March, 20 02, in Room OPS-12th floor

Chicago, Illinois, at which time said hearing, examination or interrogation shall be commenced. By placing my signature upon this statement, I affirm my wish to secure said counsel and agree to comply with Department hearing, examination or interrogation scheduled on the date aforesaid.

Date-Time 26 MAR 02 Signature Michael Tracy

WITNESS
White Coto

DISTRIBUTION
COMPLAINT REGISTER INVESTIGATION

Original to Investigator's file
Duplicate to affected member

CPD-44 106(Rev. 10/93)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO. 82

WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL
CHICAGO POLICE DEPARTMENT

NAME OF WITNESS MARTINEZ, Alexandra	RANK PO	STAR NO 4544	UNIT OF ASSIGNMENT 008
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WAIVER OF COUNSEL

☐

I, the undersigned, knowingly and voluntarily wish to proceed with the hearing, examination or interrogation without having counsel of my own choosing present to advise me during this hearing, examination or interrogation.

Date-Time _____ Signature _____



REQUEST TO SECURE LEGAL COUNSEL

I, the undersigned, having been advised of my right to counsel of my own choosing at all hearings, elect to secure the services of counsel and agree to proceed with said hearing, examination or interrogation at

1500 hours, on 02 April, 20 02, in Room OPS - 12th floor

Chicago, Illinois, at which time said hearing, examination or interrogation shall be commenced. By placing my signature upon this statement, I affirm my wish to secure said counsel and agree to comply with Department hearing, examination or interrogation scheduled on the date aforesaid.

Date-Time 28 MAR 02 1700 Signature Alexandra Martinez 4544

WITNESS
[Signature]

DISTRIBUTION
COMPLAINT REGISTER INVESTIGATION

Original to investigator's file
Duplicate to affected member

CPD-44 106 (Rev. 10/93)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO. 83

Call: 312-745-3005

NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT

GIVEN TO MEMBER
DATE TIME

24 Nov 02 1320

NAME OF ACCUSED
TRACY, Michael

RANK
PO

STAR NO
14349

UNIT OF ASSIGNMENT
008

The law provides that if you are to be charged with a criminal offense or if your separation from the Department will be sought, you are to be advised in writing of the specific illegal or improper acts alleged against or attributed to you.

Furthermore, Department policy provides that you have a right to be advised in writing of the names of complainants and allegations against you prior to any questioning of you concerning the allegation regardless of the nature of the allegation and even if the allegation is such that it will not result in the filing of criminal charges or the filing of separation charges.

Accordingly, you are hereby advised that the following allegations have been attributed to you:

COMPLAINANTS/VICTIMS:

1. Cpt. Robert EVANS, Star #70, Unit 008
2. OPS Investigator Ivette COTTO #210
- 3.
- 4.

It is alleged that on 03 February 2002, at approximately 0251 hours, at [REDACTED] you discharged a weapon without justification; failed to make proper notifications of a weapons discharge; failed to submit a weapons discharge report; and were intoxicated.

It is further alleged that you possess a handgun that is not registered with the City of Chicago.

It is further alleged that during an unknown date and time, at 5858 South Rutherford, you discharged your firearm and failed to make proper notifications.

The undersigned hereby acknowledges receipt in writing of the charges or allegations against him.

Signature

M. J. Ray

WITNESSES

Ivette Cotto

PREPARE IN DUPLICATE:

Original to investigator's file
Duplicate to affected member

CPD-44 115(Rev. 5/89)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO.

84

ADMINISTRATIVE PROCEEDINGS RIGHTS
(Statutory)
CHICAGO POLICE DEPARTMENT

GIVEN TO MEMBER
DATE TIME

29 Mar 02 1320

NAME OF ACCUSED TRACY, Michael	RANK PO	STAR. NO. 14349	UNIT OF ASSIGNMENT 008
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The law provides that you are to be advised of the following:

1. Any admission or statement made by you in the course of this hearing, interrogation or examination may be used as the basis for your suspension or as the basis for charges seeking your removal or discharge or suspension in excess of 30 days.
2. You have the right to counsel of your choosing to be present with you to advise you at this hearing, interrogation or examination and you may consult with him as you desire.
3. You have a right to be given a reasonable time to obtain counsel of your own choosing.
4. You have no right to remain silent. You have an obligation to truthfully answer questions put to you. You are advised that your statements or responses constitute an official police report.
5. If you refuse to answer questions put to you, you will be ordered by a superior officer to answer the questions.
6. If you persist in your refusal after the order has been given to you, you are advised that such refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and will serve as a basis for which your discharge will be sought.
7. You are further advised that by law any admission or statement made by you during the course of this hearing, interrogation or examination and the fruits thereof cannot be used against you in a subsequent criminal proceeding.

The undersigned hereby acknowledges that he was informed of the above rights.

Signature

Michael J. Tracy

WITNESS

Michael J. Tracy

DISTRIBUTION
COMPLAINT REGISTER INVESTIGATION

Original to investigator's file
Duplicate to affected member

CPD-44 105(Rev. 10/93)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO. 85

OFFICE OF PROFESSIONAL STANDARDS

29 Mar 2002
CR. 278101

The following is in essence but not verbatim a summary statement taken in question-and-answer format of PO Michael Tracy #14349 relative to the incident that occurred on 03 February 2002, at approximately 0251 hours, at 5858 South Rutherford.

Statement of Accused: PO Michael Tracy #14349
Statement being taken at: Office of Professional Standards, 10 W. 35th Street
Questioned and typed by: Inv. Ivette M. Cotto #210
Date and Time: 29 March 2002 - 1320 hours
Witnessed by: FOP Attorney, Jim Thompson

Q What is your name, star number and unit of assignment?
A Michael Tracy, Star #14349, Unit 008

Q What is your current age and date of birth?
A 53, [REDACTED] 48

Q What is your Social Security number?
A [REDACTED]

Q What is your date of appointment to the Department?
A 10 Jun 75

Q How long have you been assigned to your present unit?
A Since around 1980

Q Have you been advised in writing of the specific charges made against you, the name of the complainant, the date and time of the incident and your administrative rights?
A I certainly have.

Q Are you accompanied by counsel of your choosing, if so identify him/her for the record?
A Yes, Jim Thompson

Michael Tracy
CR#278101 Page: 000262
Ivette Cotto

C. R. 278101
ATTACHED 80

OFFICE OF PROFESSIONAL STANDARDS
Statement of Accused, PO Michael Tracy #14349
CR. 278101
p. 2

Q Do you understand this is an official Police Department report and that any deviation from the truth could result in additional charges being placed against you?

A Yes

Q What was your duty status and assignment on 03 February 2002?

A This statement is not being given voluntarily but under duress. I am only giving this statement at this time because I know I could lose my job if I refuse. We object to the statement proceeding at this time knowing that a case report was completed naming Officer Michael Tracy as an offender while at this time, Officer Tracy had not been charged, he has not been notified by the Department or OPS that no charges will formally be brought against him for events arising out of these allegations. Further, because Officer Tracy has not received his criminal rights, he is only providing this statement because he is required to do so under the Chicago administrative rights. However, if at any time, Officer Tracy was charged for events arising out of these allegations, he hereby invokes his right to remain silent.
Off-duty, currently on Injury on duty status

Q On 03 February 2002, at approximately 0251 hours, you were at [REDACTED]
Correct?

A Right

Q On 03 February 2002, you lived at this location with PPO Karen Magers, is this correct?

A Yes

Q Do you still reside with PPO Magers at this address?

A No

Q Where do you reside now?

A [REDACTED]

Q Have you made any notifications to the personnel Department about your change of address?

A No, in the process of doing that and will do so.

Q Prior to your new address at [REDACTED], why didn't you make notifications to the Department about your current address being [REDACTED]?

A Because a lot of time, I lived in the basement of my office at 6947 West Archer.

Michael J. Tracy

OFFICE OF PROFESSIONAL STANDARDS
Statement of Accused, PO Michael Tracy #14349
CR. 278101
p. 3

Q How would you describe your relationship now with PPO Magers?
A She is my best friend.

Q Did you go out to dinner with your mother or any other person prior to this incident on 02 February 2002?
A I think I took my mother out to dinner that night.

Q On 02 February 2002, did PPO Magers leave the residence to go out?
A Yes

Q What time did she leave?
A I don't remember.

Q What did you do after PPO Magers left?
A Went to my mother's house.

Q What time did you arrive home?
A I think it was around one or two o'clock in the morning.

Q Did you consume any alcoholic beverages from the time PPO Magers left until you returned home from your mom?
A Yes

Q How much alcohol did you consume from the time PPO Magers left until the time you returned home?
A Seagram's VO. I cannot approximate how much. I know I had a couple of drinks, VO Manhattan's, at the restaurant with my mother.

Q When you arrived home, were you intoxicated?
A No

Q Did you continue consuming alcoholic beverages at home when you returned from dinner at mom's?
A Most assuredly.

Q How much did you drink at your home?
A I had at least several drinks or more of VO and water.

Michael J. Tracy

OFFICE OF PROFESSIONAL STANDARDS
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Q What did you do once you arrived home?

A I took a couple of prescription Vicidon's because I had recently been bad headaches from when I was knocked out at the 10-1 which occurred August 9th, 2001. I never used to get headaches so I don't know what a migraine headache really is but this day in particular I had extremely bad headache and a lot of pain in my shoulder and lower back. I made a drink and turned on the TV. I started calling Karen on her cell phone. I got her answering machine, had another VO and tried calling her again.

Q When you called the second time did you talk to her?

A I think it took a few phone calls before I talk to her.

Q How many times did end up calling PPO Magers?

A A lot

Q Did you leave telephone message?

A Yes, I think I did.

Q What was the nature of those messages?

A I said, "Where are you. When are you coming home?" I think I left one message to her that my head was ready to explode from my headache.

Q For what reasons did you want PPO Magers to come home?

A I love her more than anything and I was concerned about where she was at.

Q What was your demeanor when you attempted to contact PPO Magers?

A I was bummed out because of this blaster headache and the lower back pain. My back was killing me. I was also bummed out too because I was sitting around on IOD not feeling any improvement.

Q Were you upset at the prospect that PPO Magers may have a new boyfriend and was ending the relationship with you when you were attempting to contact her?

A No not all.

Q What else did you do at home?

A I sat and had a couple of more drinks trying to get rid of this headache.

Michael J. Tracy

Michael J. Tracy
CR#278101 Page 000265

G. E. 278101
ATTACHMENT # 80

OFFICE OF PROFESSIONAL STANDARDS
Statement of Accused, PO Michael Tracy #14349
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p. 5

Q Explain what occurred with the discharging of your weapon.

Attorney Thompson: I renew my objection regarding Officer Tracy answering questions about the circumstances of the weapons discharge in his home when a criminal damage to case report was completed naming Officer Tracy as an offender. Officer Tracy is not been afforded the opportunity of receiving any criminal rights and his only proceedings at this point ~~is~~ under administrative rights. ^{he is} because he is required to do so.

A I was really bummed out, frustrated and irritable. I wanted to blow off some steam so I fired a couple of shots in the house.

Q How many times did you discharge your weapon?

A A few times.

Q Less than five, right.

A Yeah.

Q Were under the influence of alcohol when you discharged your weapon?

A I had been drinking.

Q Describe, in detail, the verbal contact you did eventually have with PPO Magers when you finally contacted her?

A I think I cracked a joke and told her that she didn't have to worry about me smoking in the house because just installed a new ventilation system. I didn't tell her on the phone that I blew out the back storm window.

Q So when you talked to PPO Magers you had already discharged your firearm but you did not inform her of this. Correct?

A Correct.

Q How long after you discharged your weapon, did PPO Magers arrive home?

A It was few or several minutes.

Michael J. Tracy

OFFICE OF PROFESSIONAL STANDARDS
Statement of Accused, PO Michael Tracy #14349
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- Q What happened upon the arrival of PPO Magers at home?
A Upon her arrival at home, I was on the telephone talking to someone at the 008th District police station, I can't remember who it was. After I discharged my weapon, I realized that this incident was completely ridiculous and I realized at this point in time in a moment of clarity that my drinking was out of control and I needed help. Then, things get pretty hazy, but I remember next PPO Magers got the phone and she was scared out of her mind. I can't remember her conversation but whoever she was talking to she sounded I think she was frightened.
- Q Were you crying and upset during the time you called 008th District station?
A No, not that I recall. I think I do remember how I started crying when I seen her.
- Q At this time, had you indicated to PPO Magers or the Sergeant on the other line at the 008th District desk that you wanted to hurt yourself and/or commit suicide?
A No
- Q What happened next?
A I think while she was on the phone, the police arrived. All I remember is when showed up they put me in the back seat of the squad car.
- Q What did you tell Sgt. Vasquez what happened?
A I don't recall talking to Sgt. Vasquez.
- Q What did you tell the patrol officers what happened?
A I remember telling one officer that I just wanted to sign myself into a hospital because I had a moment of clarity.
- Q What happened upon the arrival of Lt. McGivney?
A I don't remember seeing Lt. McGivney.
- Q You were upset and crying when the responding officers arrived. Correct?
A Yes
- Q Did you indicate to the responding officers that you wanted to hurt yourself?
A No

Michael J. Tracy
Noted
CR#278101 Page: 000267

C. D. 278 01
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OFFICE OF PROFESSIONAL STANDARDS
Statement of Accused, PO Michael Tracy #14349
CR. 278101
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- Q In 1997, you accidentally discharged your firearm at 5858 South Rutherford, while you were cleaning it
- A Yes
- Q What notifications did you make about the discharge?
- A I remember calling the station and talking to my friend, Eddie McKitis, he's dead now.
- Q What other notifications did you make?
- A Eddie told me that he would take care of it for me that I didn't have to bother coming into the station.
- Q Did you complete any paperwork about the discharge in 1997?
- A No
- Q Did you complete any paperwork about the weapons discharge on 03 February 2002?
- A No
- Q Why not?
- A Because I was on my way to the hospital and reasonably believe that police on the scene were completing the necessary paperwork.
- Q The weapon you had in your locker at the 008th District desk, was not registered. Correct?
- A Wrong. It is registered .
- Q I will make the copy of your registration. Okay?
- A Okay.
- Q When you arrived home from the restaurant with your mom, you drove yourself home. Correct?
- A Yes, I did.
- Q Did you discharge your weapon without justification?
- A No. As I stated before, I discharged my weapon during a period of frustration and an effort to blow off some steam.
- Q Have your discharged your weapon before to blow off steam?
- A No

Michael J. Tracy
CR#278101 Page: 000268
Michael J. Tracy

C. R. 278101
ATTACHMENTS 86

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Statement of Accused, PO Michael Tracy #14349
CR. 278101
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Q Did you fail to make proper notifications of a weapons discharge?
A No, I called the station and made notifications.

Q Did you fail to submit a weapons discharge report?
A No, I tend to that today if it hasn't been done by the officers at the scene.

Q Were you intoxicated?
A I had been drinking that day VO and had consumed too much that day.

Q Did you or do you possess a handgun that is not registered with the City of Chicago?
A No, I have provided you with the registration card.

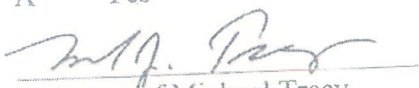
Q In 1997, did you discharge your firearm and failed to make proper notifications?
A No, I called the 008th District and talked to Eddie at the time.

Q Is there anything you wish to add to this statement?
A I sincerely regret and am remorseful that this incident may have caused other especially Karen Magers problems with the Department when she did everything she was supposed to do and she is just learning and doesn't have the experience and relied upon the knowledge and experience of the supervisors on the scene.

I am also grateful to Ron Sroka and Sgt. Klich and Frank "Paco" Calderon for helping me to get into the AA program.

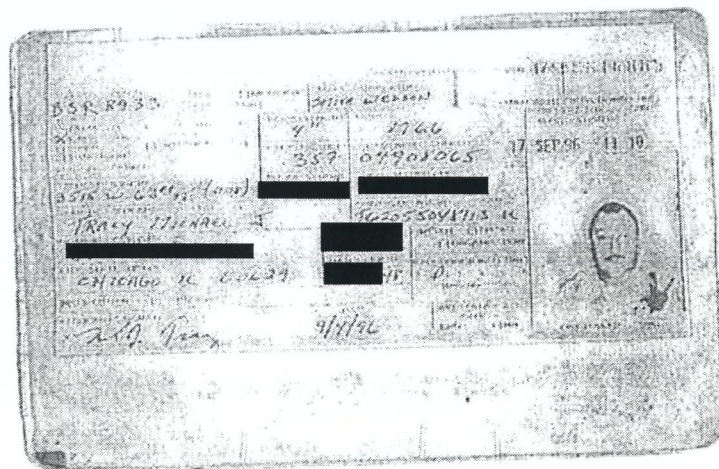
Q After reading this statement, consisting of 8 pages and being provided with the opportunity to make corrections, additions or deletions, and finding it to be true and accurate summarization of what you have stated, will you sign it?

A Yes


Signature of Michael Tracy
Date: 3/21/02
Time: 1500

Witnessed:

Signature of Investigator



C. P. 278101
ATTACHMENT # 86A

Firearm Registration

Applicant Information

FIREARM REGISTRATION

Last Name: **TRACY** First Name: **MICHAEL** MI: **J** Suffix: Birth Date: **20-APR-1940**
 DLN: State: **IL** SSN: Sex: **MALE** Race: **WHITE**

☐ Organization? ☐ Non CPD Sworn? ☒ CPD Sworn? Vacate Code: Vacate Date:
☐ Convicted Of Felony? ☐ Convicted for Narcotics? ☐ Convicted of Aggravated Assault?

Residence: Street #: Dir: **S** Street Name: Apt. #: City: **CHICAGO** Zip Code: **60655** St: **IL** Phone #: Beat: **0**
 Business: City: **CHICAGO** St: **IL** Phone #: Beat:

QUERY ->

Registration No.:

Serial No.:

Registration No.	Serial No.	Firearm Model	Firearm Make	Registration Status
1- 109062	010586	TROOPERMK9	COLT -US-	RENEWED
2- 582039	038648	PPKS	INTERARMS LTD/INTERAR	RENEWED
3- 582040	27441	AIRWEIGHT	SMITH & WESSON -US- (B	REGISTERED
4- 589874	TEH5635	MD3913	SMITH & WESSON -US- (B	RENEWED

Update Firearm Information

Insert Firearm Information

Delete Registration

COTD

TRACY HAS SIX Guns Registered

Hope this helpful.

Charlotte Smith

G. R. 278101
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Firearm Registration

Applicant Information

FIREARM REGISTRATION

Last Name: **TRACY** First Name: **MICHAEL** MI: **J** Suffix: Birth Date: **20-APR-1948**
 DLN: **[REDACTED]** State: **IL** SSN: **[REDACTED]** Sex: **MALE** Race: **WHITE**

☐ Organization? ☐ Non CPD Sworn? ☒ CPD Sworn? Vacate Code: Vacate Date:
☐ Convicted of Felony? ☐ Convicted for Narcotics? ☐ Convicted of Aggravated Assault?

Street #	Dir.	Street Name	Apt. #	City	Zip Code	St.	Phone #	Beat
Residence	S	[REDACTED]		CHICAGO	60655	IL		0
Business				CHICAGO		IL		

QUERY --> Registration No.: Serial No.:

Registration No.	Serial No.	Firearm Model	Firearm Make	Registration Status
582040	27441	AIRWEIGHT	SMITH & WESSON -US- (B	REGISTERED
589874	TEH5635	MD3913	SMITH & WESSON -US- (B	RENEWED
589875	GEN1095	MD640	SMITH & WESSON -US- (B	RENEWED
589876	KV6309	KING COBRA	COLT -US--	RENEWED

Update Firearm Information Invert Firearm Information Delete Registration

C. P. 278101
 ATTORNEY # 87

OFFICE OF PROFESSIONAL STANDARDS

03 Apr 2002
CR. 278101

The following is in essence but not verbatim a summary statement taken in question-and-answer format of PPO Kerrey SNYDER relative to the incident that occurred on 03 February 2002, at approximately 0251 hours, at [REDACTED]

DEPARTMENT MEMBER

Statement of Witness: PPO Kerrey SNYDER

Statement being taken at: Education and Training Academy, 1300 W. Jackson

Questioned and typed by: Inv. Ivette Cotto #210

Date and Time: 03 April 2002 - 0950 hours (6)

Witnessed by: No one

Q What is your name, star number and unit of assignment?

A Kerrey Snyder, no star number assigned yet, Unit 044

Q What is your current age and date of birth?

A 27, [REDACTED] 74,

Q What is your Social Security number?

A [REDACTED]

Q What is your date of appointment to the Department?

A 29 Oct 01

Q How long have you been assigned to your present unit?

A Since Oct 29, 01

Q Have you been advised that this is a witness statement and that there are no allegations being made against you?

A Yes

Q Are you prepared to give a statement at this time?

A Yes.

This statement is not being given voluntarily but under duress. I am only giving this statement at this time at this time because I know I could lose my job if I refuse.

Ivette Cotto
CR#278101 Page: 000273
Kerrey Snyder

C. R. 278101
APR 03 2002 88

OFFICE OF PROFESSIONAL STANDARDS
Statement of Witness, PPO Kerrey SNYDER
CR. 278101
P. 2

Q Are you aware that this statement has the standing of an official Department report and that any deviation from the truth would be in direct violation of Department Rules and Regulations, resulting in allegation or charges being placed against you?

A Yes

Q On 02 February 2002, you went out to bar/nightclub with PPO Karen Magers, PPO Wendy Weller, PPO Paul Brandau, PPO David Granado and PPO Jessica Weir. Correct?

A Yes

Q Other than those named, who else was present?

A There were a bunch of people there but I don't remember who.

Q What bar/nightclub did you go to?

A I believe it was the Hidden Shamrock

Q You picked up PPO Magers at her home, [REDACTED] on 02 February 2002 correct?

A Correct

Q Did she appear upset to you?

A No

Q What has PPO Magers related to you about her relationship with PO Tracy?

A Basically, just that from the beginning he was living there and they broke up and he no longer is living there.

Q On this date, PPO Karen Magers had her cellular telephone on her and had received numerous telephone calls from PO Michael Tracy (former boyfriend). How many times did she speak to him during this evening?

A I'd guess around four or five times, could be more or less.

Q What was the extent of the conversation PPO Magers had with PO Tracy?

A I don't know. I didn't hear the conversation and she wasn't saying much.

Q Did PPO Magers talk to PO Tracy or were they voice mail messages?

A I believe they were voice mail messages first and then I want say that when we were on our way home, she was picking up the phone and answering it.

Wendy Weller
Kerrey Snyder
CR#278101 Page 000274

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Statement of Witness, PPO Kerrey SNYDER
CR. 278101
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Q Was this in the car?

A Yes

Q Other than yourself and PPO Magers, who else was present in that vehicle?

A No body

Q What did you infer from the conversation PPO Magers had with PO Tracy while in the vehicle?

A I couldn't tell what they were talking about. I wasn't listening to her. I didn't know what was going on.

Q Did she seem upset at this time?

A No

Q PPO Magers telephoned another officer, PO Martinez, while she was in your vehicle, what did you infer from that conversation?

A The only thing I heard was that she asked her to check the door or window. Basically, to make sure everything was okay.

Q Do you know why PPO Magers wanted her house checked?

A No

Q Did PPO Magers relate any part of the conversation she had with PO Tracy with you or anyone else present?

A The only thing that I heard was that she was going to have ventilation or cold air, something to that effect.

Q How long have you known PPO Magers?

A Since October 29, 2001, five months.

Q How did you come to know PPO Magers?

A From the academy.

Q Do you know PO Tracy?

A No, I met him a couple of times that's about it.

Kerrey Snyder
CR#278101 Page:000275

C. P. 278101
88

OFFICE OF PROFESSIONAL STANDARDS
Statement of Witness, PPO Kerrey SNYDER
CR. 278101

P. 4

Q What knowledge do you have pertaining to what occurred at [REDACTED] on

03 February 2002?

A All I know is that he just shot the sliding door, her cabinet that has glass doors, basically that's it and that he moved out of the house. Kitchen Cabinet I believe bathroom wall

Q What knowledge do you have about PO Tracy hurting himself or attempting to commit suicide?

A I have no knowledge

Q When did you learn that PO Tracy had shot up his house?

A I believe I talked to her Sunday afternoon.

Q During the conversation PPO Magers had with Officer Tracy in your vehicle, did she sound like she was attempting to calm him down or relax him?

A Yeah. From what I can remember hearing, she was trying to talk to him sensibly, "What are you doing. Why are you talking like that?"

Q Was there any indication to you that PO Tracy had been consuming alcohol that evening?

A No

Q Is there anything you wish to add to this statement?

A Not at this time

Q After reading this statement, consisting of 4 pages and being provided with the opportunity to make corrections, additions or deletions, and finding it to be true and accurate summarization of what you have stated, will you sign it?

A Yes

Kerrey Snyder
Signature of Kerrey SNYDER

Date: 03 Apr 02

Time: 1010

Witnessed:

Chelle Otto
Signature of Investigator

OFFICE OF PROFESSIONAL STANDARDS

03 Apr 2002

CR. 278101

The following is in essence but not verbatim a summary statement taken in question-and-answer format of PPO Jessica WEIR relative to the incident that occurred on 03 February 2002, at approximately 0251 hours, at [REDACTED]

DEPARTMENT MEMBER

Statement of Witness: PPO Jessica WEIR

Statement being taken at: Education and Training Academy, 1300 W. Jackson

Questioned and typed by: Inv. Robert Troy #253

Date and Time: 03 April 2002, 1051 hours

Witnessed by: No witness

Q What is your name, star number and unit of assignment?

A Jessica Weir, no star number assigned yet, Unit 044

Q What is your current age and date of birth?

A 22 YOA, [REDACTED] 79

Q What is your Social Security number?

A [REDACTED]

Q What is your date of appointment to the Department?

A 29 Oct 01

Q How long have you been assigned to your present unit?

A Since 29 Oct 01

Q Have you been advised that this is a witness statement and that there are no allegations being made against you?

A Yes

Q Are you prepared to give a statement at this time?

A Yes, this statement is not being given voluntarily but under duress. I am only giving this statement at this time because I know I could lose my job if I refuse.

Q Are you aware that this statement has the standing of an official Department report and that any deviation from the truth would be in direct violation of Department Rules

JW RT

OFFICE OF PROFESSIONAL STANDARDS

Statement of Witness, PPO Jessica WEIR

CR. 278101

P. 2

A and Regulations, resulting in an allegation or charges being placed against you?
A Yes

Q On 02 February 2002, you went out to bar/nightclub with PPO Karen Magers,
PPO Kerrey Snyder, PPO Paul Brandau, PPO David Granado and PPO Wendy Weller.
Correct?

A It was only Magers, Snyder, and I.

Q To which bar/club did you go?
A Dig, near Sheffield and Weed St.

Q Approximately what time did you go to the bar?
A I would say between 2000 and 2100 hours.

Q How did you get to the bar?
A To the best of my recollection, PPO Snyder drove. Snyder was driving, Magers in the
passenger seat. They picked me up at my apartment and we went to Dig.

Q Approximately how long did you stay at the bar?
A I believe that it was around midnight. Then we went to the Hollywood Grill at Ashland
and North Ave., then they dropped me off at about 0200 hours at my apartment at 916 N.
Hoynes. They talked about possibly going to a south side bar after they dropped me off,
but I don't know where. At approximately 0230 hours, I received a call on my cellular
telephone from a male who stated that he had been living with PPO Magers for two years.
I didn't have any idea of who he was or how he knew I was out with PPO Magers, or how
he had my telephone number. He asked if I knew where PPO Magers was, who she was
with. He said that he really needed to get ahold of her. I told him that she was out with
Snyder and I didn't know where they were or where they were going. That was it for the
first phone call. About five minutes later, he called again. He asked me again who she
was with. He sounded sort of desperate. He asked where they went again, and then
stated, "It's going to blow her mind that I called you. I really love her." He sounded like
he might cry. I just told him that I didn't know where they were. That was it for the
phone calls. On the following Monday morning, I went up to Magers to tell her about the
phone calls. She told me that it was her ex-boyfriend, who was not living with her. She
said that he had left her a lot of voicemails on her cellular phone on Saturday night. I
think that she actually spoke to him and he told her that she had better get home. She was
a little worried about the situation, so she went home. I don't know if she had gone to
another bar or not. When Snyder dropped her off, she saw that a sliding glass door was
broken out. Snyder wanted to go in with her out of concern, but Magers said no, she'd

PPO. Magers
informed
me on
Monday
that her
ex-boyfriend
got my
name and
phone number
from her
caller id. in her home.

JW 25

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Statement of Witness, PPO Jessica WEIR
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take care of it. She said that she went into her kitchen and found him sitting at the kitchen table. His gun was on the table and she immediately took it and put it in her waistband. He was talking on the phone to someone in the 008th District. She looked around and saw bullet holes in the kitchen, bedroom, and bathroom. She grabbed the phone and told the person that she needed a supervisor there right away. That's all she said about that night, but she said that investigators came out the next day. She also said that her ex-boyfriend was in some sort of psychiatric care. I know that when Magers came to the Academy on Monday, she immediately told Officer Bradley, our home room instructor, about what happened.

Q Prior to 02 Feb 02, did PPO Magers ever describe her relationship with her ex-boyfriend with you?

A Not in any detail. I think that she had stated that she used to date an officer who worked in the 008th District.

Q Did you know if they lived together or not?

A I have no idea.

Q Did you know his name?

A No

Q Did he state his name when he called you?

A If he did, I don't recall. It was late and he woke me up.

Q Did he sound intoxicated when he called you?

A I'm not sure, but I know he sounded off, he didn't sound right.

Q Did PPO Magers offer any further description of the voicemails that he left for her?

A No. Just that he wanted her to come home.

Q Do you know if he ever indicated to her that he might hurt himself or others?

A She didn't tell me if he ever indicated that.

Q What happened after PPO Magers requested that a supervisor come to her home?

A To my knowledge a sergeant and officers came out, but she didn't really tell me any more details about Saturday night, beyond the phone call. She talked about all the people that came out the next day.

Q Do you know what PPO Magers told the supervisor/officers that came to her home on

OFFICE OF PROFESSIONAL STANDARDS

Statement of Witness, PPO Jessica WEIR

CR. 278101

P. 4

- Saturday night?
- A I know she told them that she had come home and found him sitting at the table with his gun emptied, because he had shot up her house. I don't know her exact words, but something to that effect.
- Q Do you know what PPO Magers told police personnel/investigators who came to her house on the following day?
- A I think the same thing that she told the officers who came to her house the night before.
- Q Did you ever see PPO Magers check her voicemail or speak on her cellular telephone while en route to the bar, at the bar, en route to the Hollywood Grill, or when they drove you home?
- A Not that I can recall.
- Q Was anyone else with you at Dig?
- A Just the three of us were at the bar and at the Hollywood Grill.
- Q Did PPO Magers appear upset at any time that you were with her on 02/03 Feb 02?
- A No, I was with her prior to her checking her voice mails and going home.
- Q What has PPO Magers related to you about her relationship or former relationship with the ex-boyfriend who called?
- A Just that he was an officer in the 008th District. Nothing else that I recall.
- Q How long have you know PPO Magers?
- A Since 29 Oct 01, the beginning of the Academy.
- Q Were you present at any time while PPO Magers telephoned her neighbor, Officer Martinez?
- A No
- Q What knowledge do you have pertaining to what occurred at 5858 South Rutherford on 03 February 2002?
- A Only what I've already described to you.
- Q Is there anything you wish to add to this statement?
- A Not at this time.
- Q After reading this statement, consisting of 5 pages and being provided with the

JW RT

C. R. 278101
ATTACHMENT # 89

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Statement of Witness, PPO Jessica WEIR
CR. 278101
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opportunity to make corrections, additions or deletions, and finding it to be true and accurate summarization of what you have stated, will you sign it?

A Yes

Jessica Weir
Signature of Jessica Weir
Date: 03 APR 02
Time: 1150

Witnessed:

Robert Troy #253
Signature of Investigator Robert Troy #253

OFFICE OF PROFESSIONAL STANDARDS

03 Apr 2002
CR. 278101

The following is in essence but not verbatim a summary statement taken in question-and-answer format of PPO Wendy WELLER relative to the incident that occurred on 03 February 2002, at approximately 0251 hours, at [REDACTED]

DEPARTMENT MEMBER

Statement of Witness: PPO Wendy WELLER

Statement being taken at: Education and Training Academy, 1300 W. Jackson

Questioned and typed by: Inv. Robert Troy #253

Date and Time: 03 April 2002, 0950 hours

Witnessed by: No witness

Q What is your name, star number and unit of assignment?

A Wendy Weller, no star number assigned yet, Unit 044

Q What is your current age and date of birth?

A 33, [REDACTED] 68

Q What is your Social Security number?

A [REDACTED]

Q What is your date of appointment to the Department?

A 29 Oct 01

Q How long have you been assigned to your present unit?

A Since 29 Oct 01

Q Have you been advised that this is a witness statement and that there are no allegations being made against you?

A Yes

Q Are you prepared to give a statement at this time?

A Yes. This statement is not being given voluntarily but under duress. I am only giving this statement at this time because I know I could lose my job if I refuse.

WW
RT

OFFICE OF PROFESSIONAL STANDARDS
Statement of Witness, PPO Wendy WELLER
CR. 278101
P. 2

Q Are you aware that this statement has the standing of an official Department report and that any deviation from the truth would be in direct violation of Department Rules and Regulations, resulting in an allegation or charges being placed against you?

A yes

Q On Saturday, 02 February 2002, you went out to bar/nightclub with PPO Karen Magers, PPO Kerrey Synder, PPO Paul Brandau, PPO David Granado and PPO Jessica Weir. Correct?

A I don't believe that I've ever been out with those PPO on a Saturday night. I've been out with them on several Friday nights, but I don't remember ever going out on a Saturday night.

Q How many times have you gone to a bar/club with PPO Magers?

A I believe four times.

Q Each time on a Friday night?

A Yes, I believe so.

Q When was the first time and where did you go?

A I believe sometime in late January we went to Joe's on Weed St.

Q When was the second time and where did you go?

A I believe that sometime in early February we went to the Lincoln Tap Room.

Q When was the third time and where did you go?

A On the Friday after the Lincoln Tap Room we went to Club Eden.

Q Where is Club Eden?

A I believe its approximately 3400 N. Clark St.

Q When was the fourth time and where did you go?

A Two Friday nights ago, we went to Hawkeye's.

Q Were PPO Magers, Snyder, and Weir out with you on all four of those occasions?

A Weir was out for Club Eden and Lincoln Tap, not Joe's or Hawkeye's. Magers and Snyder were out for all four nights, I believe.

Q Are there any other nights that you went out?

A We also went to Cullens on a Sunday night in January and the Cubby Bear on the Friday

WW RT

OFFICE OF PROFESSIONAL STANDARDS
Statement of Witness, PPO Wendy WELLER
CR. 278101

P. 3

night before St. Patrick's Day.

Q Were PPO Magers, Snyder, and Weir out with you on those two nights?
A Yes for the Cubby Bear, but Weir was not there for the Sunday night that we went to Cullen's.

Q Have you ever been to the Hidden Shamrock with other probationary officers?
A No. I know that a group of probationary officers went there on a Saturday night, following a Friday night that we went out, but I don't recall which weekend.

Q Did PPO Magers, Snyder, and Weir go to the Hidden Shamrock that night?
A I don't know about Weir, but I know Snyder and Magers did.

Q On any night that you went out with PPO Magers, did you ever drive to or from the bar/club in the same vehicle as her?
A They picked me up on the night that we went to Cullen's.

Q Are you aware of PPO Magers having any current or former boyfriends or roommates?
A She told me that she recently broke up with someone.

Q When did she tell you that?
A I think sometime in January.

Q Did she ever describe their relationship to you?
A No

Q Were you ever present when she made or received any telephone calls from him?
A No

Q Did she ever describe any telephone conversations with him?
A No

Q Was PPO Magers ever visibly upset on any of the evenings that you went out with her?
A Yes, there were a couple times that she was crying. I asked her what was wrong, but she said that she didn't want to talk about it.

Q Do you recall which evenings?
A No. I'm not even sure if it was in the evening, it may have been here at the Academy.

Q Do you know the name of PPO Magers' ex-boyfriend?
A No

WVW RT

OFFICE OF PROFESSIONAL STANDARDS
Statement of Witness, PPO Wendy WELLER
CR. 278101

P. 4

Q Do you know if he is a Chicago Police Officer?

A No

Q Other than the nights that you went out, have you had any other social contact with PPO Magers?

A No

Q What knowledge do you have pertaining to what occurred at [REDACTED] on 03 February 2002?

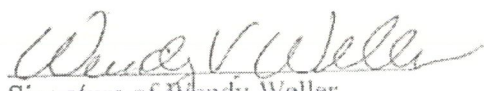
A I didn't know that anything had occurred.

Q Is there anything you wish to add to this statement?

A I didn't know that anything had occurred. I still don't know about anything that occurred.

Q After reading this statement, consisting of 4 pages and being provided with the opportunity to make corrections, additions or deletions, and finding it to be true and accurate summarization of what you have stated, will you sign it?

A Yes



Signature of Wendy Weller

Date: 3 April 2002

Time: 1045

Witnessed:



Signature of Investigator Robert Troy #253

OFFICE OF PROFESSIONAL STANDARDS

03 Apr 2002
CR. 278101

The following is in essence but not verbatim a summary statement taken in question-and-answer format of PPO Paul BRANDAU relative to the incident that occurred on 03 February 2002, at approximately 0251 hours, at [REDACTED]

DEPARTMENT MEMBER

Statement of Witness: PPO Paul BRANDAU

Statement being taken at: Education and Training Academy, 1300 W. Jackson

Questioned and typed by: Inv. Ivette Cotto #210

Date and Time: 03 April 2002 - 100 hours @

Witnessed by: No one

Q What is your name, star number and unit of assignment?
A Paul Brandau, no star number assigned yet, Unit 044

Q What is your current age and date of birth?
A 31, [REDACTED] 71

Q What is your Social Security number?
A [REDACTED]

Q What is your date of appointment to the Department?
A 29 Oct 01

Q How long have you been assigned to your present unit?
A Since October 29, 2001

Q Have you been advised that this is a witness statement and that there are no allegations being made against you?
A Yes

Q Are you prepared to give a statement at this time?
A Yes.

This statement is not being given voluntarily but under duress. I am only giving this statement at this time at this time because I know I could lose my job if I refuse.

Paul Brandau
Ivette Cotto
CR#278101 Page: 000286

C. R. 278101
ATTACHMENT # 91

OFFICE OF PROFESSIONAL STANDARDS
Statement of Witness, PPO Paul Brandau
CR. 278101
P. 2

Q Are you aware that this statement has the standing of an official Department report and that any deviation from the truth would be in direct violation of Department Rules and Regulations, resulting in allegation or charges being placed against you?

A Yes

Q On 02 February 2002, you went out to bar/nightclub with PPO Karen Magers, PPO Wendy Weller, PPO Kerrey Snyder, PPO David Granado and PPO Jessica Weir. Correct?

A Not sure. I am most positive it was a Friday night and that would have been Lincoln Tap. We go out Friday nights to Lincoln Tap because the beer is cheaper. I've never been to Club Eden or Hidden Shamrock.

Q When you saw PPO Magers, did she appear upset to you?

A No

Q What has PPO Magers related to you about her relationship with PO Tracy to you?

A Nothing

Q On this date, PPO Karen Magers had her cellular telephone on her and had received numerous telephone calls from PO Michael Tracy (former boyfriend). How many times did she speak to him during this evening?

A I was aware that she even had her cell phone. I was talking to her the whole night.

Q

Did PPO Magers relate any part of the conversation she had with PO Tracy with you or anyone else present?

A No

Q How long have you known PPO Magers?

A Since 29 October 2001

Q How did you come to know PPO Magers?

A From the academy

Q How would you describe your relationship with her?

A Friends

Q Do you know PO Tracy?

A No

Paul Brandau
Alfredo Coto

OFFICE OF PROFESSIONAL STANDARDS

Statement of Witness, PPO Paul Brandau

CR. 278101

P. 3

Q Were you present at any time while PPO Magers conversed with PO Tracy?

A No

Q What knowledge do you have pertaining to what occurred at [REDACTED] on
03 February 2002?

A I haven't heard anything. Today, is the first time I heard about it.

Q Do you study with PPO Magers on the weekends?

A No

Q Are you aware of any personal relationship PPO Magers has with anyone at the academy?

A Not that I am aware of.

Q Is there anything you wish to add to this statement?

A No

Q After reading this statement, consisting of 3 pages and being provided with the
opportunity to make corrections, additions or deletions, and finding it to be
true and accurate summarization of what you have stated, will you sign it?

A Yes



Signature of Paul Brandau

Date: 03 APR 02

Time: 1030 HRS

Witnessed:



Signature of Investigator

OFFICE OF PROFESSIONAL STANDARDS

03 Apr 2002
CR. 278101

The following is in essence but not verbatim a summary statement taken in question-and-answer format of PPO David GRANADO relative to the incident that occurred on 03 February 2002, at approximately 0251 hours, at [REDACTED]

DEPARTMENT MEMBER

Statement of Witness: PPO David GRANADO

Statement being taken at: Education and Training Academy, 1300 W. Jackson

Questioned and typed by: Inv. Ivette Cotto #210

Date and Time: 03 April 2002 - 1040 hours

Witnessed by: No one

Q What is your name, star number and unit of assignment?

A David Granado, no star number assigned yet, Unit 044

Q What is your current age and date of birth?

A 23, [REDACTED] 78

Q What is your Social Security number?

A [REDACTED]

Q What is your date of appointment to the Department?

A 29 Oct 01

Q How long have you been assigned to your present unit?

A Since October 29, 2001

Q Have you been advised that this is a witness statement and that there are no allegations being made against you?

A Yes

Q Are you prepared to give a statement at this time?

A Yes.

This statement is not being given voluntarily but under duress. I am only giving this statement at this time at this time because I know I could lose my job if I refuse.

OFFICE OF PROFESSIONAL STANDARDS

Statement of Witness, PPO David Granado

CR. 278101

P. 2

Q Are you aware that this statement has the standing of an official Department report and that any deviation from the truth would be in direct violation of Department Rules and Regulations, resulting in allegation or charges being placed against you?

A Yes

Q On 02 February 2002, you went out to bar/nightclub with PPO Karen Magers, PPO Wendy Weller, PPO Kerrey Snyder, PPO Paul Brandau and PPO Jessica Weir. Correct?

A I am not sure. I've been out with them before but I don't remember the days

Q Is there anything that can help you remember?

A No, I can't remember, we've been out several times.

Q Do you recall PPO Magers receiving numerous telephone calls on her cellular phone from Officer Tracy on an evening in which you were present with this group in February?

A No

Q What has PPO Magers related to you about her relationship with PO Tracy?

A Nothing

Q On an evening that you have been with PPO Magers, has she received numerous calls on cellular phone?

A Not that I can remember

Q How long have you known PPO Magers?

A Since October 29, 2001

Q How did you come to known PPO Magers?

A From the academy

Q Do you know PO Tracy?

A No

Q Have you been present at any time while PPO Magers conversed with PO Tracy?

A No

CR#278101 Page 000290
David Granado

C. D. 278101
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OFFICE OF PROFESSIONAL STANDARDS
Statement of Witness, PPO David Granado
CR. 278101
P. 3

- Q What knowledge do you have pertaining to what occurred at 5858 South Rutherford on 03 February 2002?
- A None. Today, was the first time I heard anything going on and thats because you related it to me.
- Q Are you aware of any personal relationship PPO Magers has with anyone at the academy?
- A No
- Q Is there anything you wish to add to this statement?
- A I have no knowledge of anything.
- Q After reading this statement, consisting of 3 pages and being provided with the opportunity to make corrections, additions or deletions, and finding it to be true and accurate summarization of what you have stated, will you sign it?
- A No, I don't like signing anything.

refused
Signature of David Granado
Date:
Time:

Witnessed:
Mette CAAO
Signature of Investigator

REQUEST FOR TIME EXTENSION -
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT

278101

DATE OF REQUEST

04 Apr 2002

TO: SUPERINTENDENT OF POLICE

ATTENTION: ☒ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
☐ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME

Ivette Cato

RANK

STAR NO

UNIT

Inv.

210

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AN EXTENSION OF 30 DAYS IS REQUESTED TO COMPLETE THIS
COMPLAINT REGISTER INVESTIGATION FOR REASON(S) INDICATED BELOW:

☐ ACCUSED UNAVAILABLE FOR INTERVIEW (GIVE REASON AND EXPECTED DATE OF RETURN)

☐ COMPLAINANT/WITNESS UNAVAILABLE FOR INTERVIEW (GIVE NAME AND REASON)

DATE CERTIFIED LETTER SENT

☒ REPORTS, RECORDS, STATEMENTS, LABORATORY TESTS UNAVAILABLE (SPECIFY)

Still taking statements

☐ OTHER (DESCRIBE)

DATE CASE ASSIGNED 04 Feb 02	ELAPSED TIME OF INVESTIGATION 60 DAYS	NO. OF PRIOR REQUESTS 7	INVESTIGATOR'S SIGNATURE Ivette Cato
APPROVED - UNIT COMMANDING OFFICER CR#278101 Page: 000292			ATTACHMENT NO. 93
			CR NO 278101

OFFICE OF PROFESSIONAL STANDARDS

04 Apr 2002
CR. 278101

The following is in essence but not verbatim a summary statement taken in question-and-answer format of PO Alexandra Martinez #4544 relative to the incident that occurred on 03 February 2002, at approximately 0251 hours, at 5858 South Rutherford.

DEPARTMENT MEMBER

Statement of Witness: PO Alexandra Martinez #4544

Statement being taken at: Office of Professional Standards, 10 W. 35th Street

Questioned and typed by: Inv. Ivette M. Cotto #210

Date and Time: 04 April 2002 - 1535 hours

Witnessed by: FOP Attorney, Jim Thompson

Q What is your name, star number and unit of assignment?
A Alexandra Martinez, Star #4544, Unit 008

Q What is your current age and date of birth?
A 34, [REDACTED] 68

Q What is your Social Security number?
A [REDACTED]

Q What is your date of appointment to the Department?
A 31 May 94

Q How long have you been assigned to your present unit?
A The whole time

Q Have you been advised that this is a witness statement and that there are no allegations being made against you?
A Yes

Q Are you accompanied by counsel of your choosing and if so, identify (him/her) for the record?
A Yes, Jim Thompson

278101
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OFFICE OF PROFESSIONAL STANDARDS
Statement of Witness, PO Alexandra Martinez #4544
CR. 278101
P. 2

Q Are you aware that this statement has the standing of an official Department report and that any deviation from the truth would be in direct violation of Department Rules and Regulations, resulting in allegation or charges being placed against you?

A Yes

Q What was your duty status and assignment on 03 February 2002?

A This statement is not being given voluntarily but under duress. I am only giving this statement at this time at this time because I know I could lose my job if I refuse. Off-duty.

Q Your current address is [REDACTED] Correct?

A Right

Q Do you know neighbors by the name of Michael Tracy and Karen Magers?

A Yes

Q How long have you known them?

A Approximately known Tracy for a few years and Magers for about a year and half.

Q How would you describe your relationship with Michael Tracy and Karen Magers?

A Neighbors. About three years ago, I worked for Tracy.

Q Are you aware that Michael Tracy is a Chicago Police Officer?

A Yes

Q Are you aware that Karen Magers is a Chicago Police Probationary Police officer?

A Yes

Q At approximately 0251 hours, on 03 February 2002, you were at home. Correct?

A Correct

Q Who was their with you at this time?

A My father was sleeping in the spare bedroom.

Q Did you hear any gun shots on 03 February 2002 while you were home?

A No

OFFICE OF PROFESSIONAL STANDARDS
Statement of Witness, PO Alexandra Martinez #4544
CR. 278101
P. 3

Q On 03 February 2002, at approximately 0251 hours, PPO Magers telephoned you.
Correct?

A Roughly around that time

Q How many times did PPO Magers contact you?

A When she first called me I don't remember if I got up to look out my window or told her that I would call her back.

Q Describe, in detail, the verbal contact between you and PPO Magers.

A She called me. I was asleep. She asked me I could do her a favor and look out my french room, which faces the back of her house, and I could see if her sliding doors were open. I told her that I assume her sliding doors were open because her Venetian blinds were blowing in and out of the window.

Q Why did PPO Magers want you to see if her sliding doors open?

A I don't even think she told me. She just asked me to check

Q Did PPO Magers sound upset to you?

A Not upset, more like concerned.

Q Did PPO Magers indicate to you that she may have concern for PO Tracy?

A No

Q Other than checking her sliding door window, what else did PPO Magers tell you?

A I think she asked me if her lights were on. That's it.

Q Did you ask PPO Magers why she wanted you to check her sliding doors in the middle of the night?

A No. I didn't find it odd that she wanted me to check if her sliding doors were open.

Q Did you see Officer Tracy on 02 or 03 February 2002?

A No

Q Did you observe the police arrive at [REDACTED] on 03 February 2002?

A No

Q What did PPO Magers tell you of what occurred at her home after your phone call with her?

A She called me approximately about an hour later. She said that her police were there and took Mike to the hospital.

OFFICE OF PROFESSIONAL STANDARDS
Statement of Witness, PO Alexandra Martinez #4544
CR. 278101
P. 4

Q For what reason?
A I didn't ask.

Q Did you ask why the police there?
A No

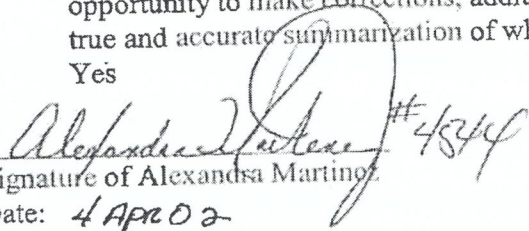
Q Did PPO Magers relate anything to you about why the police were at her home and/or why the police took Officer Tracy to the hospital?
A She said the police were there because PPO Magers and Officer Tracy had gotten into a verbal altercation and that when she got home. The police came and took him to the hospital.

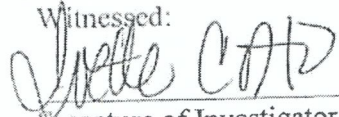
Q Did you relate what PPO Magers told you to anyone else?
A No

Q Did you relate what PPO Magers told you to your father?
A No

Q Is there anything you wish to add to this statement?
A No

Q After reading this statement, consisting of 4 pages and being provided with the opportunity to make corrections, additions or deletions, and finding it to be true and accurate summarization of what you have stated, will you sign it?
A Yes

 #4544
Signature of Alexandra Martinez
Date: 4 APR 02
Time: 1600

Witnessed:

Signature of Investigator

NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT

GIVEN TO MEMBER
DATE TIME

05 Apr 02 1310

NAME OF ACCUSED
TRACY, Michael

RANK
PO

STAR NO
14349

UNIT OF ASSIGNMENT
008

The law provides that if you are to be charged with a criminal offense or if your separation from the Department will be sought, you are to be advised in writing of the specific illegal or improper acts alleged against or attributed to you.

Furthermore, Department policy provides that you have a right to be advised in writing of the names of complainants and allegations against you prior to any questioning of you concerning the allegation regardless of the nature of the allegation and even if the allegation is such that it will not result in the filing of criminal charges or the filing of separation charges.

Accordingly, you are hereby advised that the following allegations have been attributed to you:

COMPLAINANTS/VICTIMS:

1. Cpt. Robert EVANS, Star #70, Unit 008
2. OPS Investigator Ivette COTTO #210
- 3.
- 4.

It is alleged that on 03 February 2002, at approximately 0251 hours, at [REDACTED] you discharged a weapon without justification; failed to make proper notifications of a weapons discharge; failed to submit a weapons discharge report; and were intoxicated.

It is further alleged that you possess a handgun that is not registered with the City of Chicago.

It is further alleged that during an unknown date and time, at [REDACTED] you discharged your firearm and failed to make proper notifications.

It is further alleged that you failed to provide the Department with a current address and telephone number.

The undersigned hereby acknowledges receipt in writing of the charges or allegations against him.

Signature

Michael Tracy

WITNESSES

Ivette Cotto

PREPARE IN DUPLICATE:

Original to investigator's file
Duplicate to affected member

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO.

95

CPD-44 115(Rev. 5/89)

ADMINISTRATIVE PROCEEDINGS RIGHTS
(Statutory)
CHICAGO POLICE DEPARTMENT

GIVEN TO MEMBER
DATE TIME
05 Apr 02 1310
UNIT OF ASSIGNMENT
008

NAME OF ACCUSED
TRACY, Michael

RANK
PO

STAR. NO.
14349

The law provides that you are to be advised of the following:

1. Any admission or statement made by you in the course of this hearing, interrogation or examination may be used as the basis for your suspension or as the basis for charges seeking your removal or discharge or suspension in excess of 30 days.
2. You have the right to counsel of your choosing to be present with you to advise you at this hearing, interrogation or examination and you may consult with him as you desire.
3. You have a right to be given a reasonable time to obtain counsel of your own choosing.
4. You have no right to remain silent. You have an obligation to truthfully answer questions put to you. You are advised that your statements or responses constitute an official police report.
5. If you refuse to answer questions put to you, you will be ordered by a superior officer to answer the questions.
6. If you persist in your refusal after the order has been given to you, you are advised that such refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and will serve as a basis for which your discharge will be sought.
7. You are further advised that by law any admission or statement made by you during the course of this hearing, interrogation or examination and the fruits thereof cannot be used against you in a subsequent criminal proceeding.

The undersigned hereby acknowledges that he was informed of the above rights.

Signature

Michael J. Tracy

WITNESS

Shirley Cobb

DISTRIBUTION
COMPLAINT REGISTER INVESTIGATION

Original to investigator's file
Duplicate to affected member

CPD-44 105(Rev. 10/93)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO.

96

WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL
CHICAGO POLICE DEPARTMENT

NAME OF ACCUSED TRACY, Michael	RANK PO	STAR NO 14349	UNIT OF ASSIGNMENT 008
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WAIVER OF COUNSEL



I, the undersigned, hereby acknowledge that I have received and read the charges/allegations against me and I knowingly and voluntarily wish to proceed with the hearing, examination or interrogation without having counsel of my own choosing present to advise me during this hearing, examination or interrogation.

Date-Time 5/APR/02 Signature Michael J. Tracy



REQUEST TO SECURE LEGAL COUNSEL

I, the undersigned, having been advised of my right to counsel of my own choosing at all hearings, examinations and interrogations in connection with the charges/allegations against me which have been given to me in writing and receipt of which is hereby acknowledge, elect to secure the services of counsel and agree to proceed with said hearing, examination or interrogation at

_____ hours, on _____, 20_____, in Room _____

_____ Chicago, Illinois, at which time said hearing, examination or interrogation shall be commenced. By placing my signature upon this statement, I affirm my wish to secure said counsel and agree to comply with Department hearing, examination or interrogation scheduled on the date aforesaid.

Date-Time _____ Signature _____

WITNESS

Shirley CMO

DISTRIBUTION
COMPLAINT REGISTER INVESTIGATION

Original to investigator's file
Duplicate to affected member

CPD-44 106(Rev. 10/93)

COMPLAINT REGISTER NO. 278101

ATTACHMENT NO. 97

OFFICE OF PROFESSIONAL STANDARDS

05 Apr 2002
CR. 278101

The following is in essence but not verbatim a summary statement taken in question-and-answer format of PO Michael TRACY #14349 relative to the incident that occurred on 03 February 2002, at approximately 0251 hours, at 5858 South Rutherford.

Statement of Accused: PO Michael TRACY #14349
Statement being taken at: Office of Professional Standards, 10 W. 35th Street
Questioned and typed by: Inv. Ivette M. Cotto #210
Date and Time: 05 April 2002 - 1310 hours
Witnessed by: No one

Q What is your name, star number and unit of assignment?
A Michael Tracy, Star #14349, Unit 008

Q What is your current age and date of birth?
A 53, [REDACTED] 48

Q What is your Social Security number?
A [REDACTED]

Q What is your date of appointment to the Department?
A 10 Jun 75

Q How long have you been assigned to your present unit?
A Since around 1980

Q Have you been advised in writing of the specific charges made against you, the name of the complainant, the date and time of the incident and your administrative rights?
A Yes

Q Are you prepared at this time to provide a statement without counsel?
A Yes. This statement is not being given voluntarily but under duress. I am only giving this statement at this time because I know I could lose my job if I refuse.

OFFICE OF PROFESSIONAL STANDARDS
Statement of Accused, PO Michael TRACY #14349
CR. 278101
p. 2

Q Do you understand this is an official Police Department report and that any deviation from the truth could result in additional charges being placed against you?

A Yes

Q On 29 March 2002, you provided a statement to the Office of Professional Standards regarding the incident that occurred on 03 February 2002, at approximately 0251 hours, at [REDACTED] Correct?

A Right

Q Do you stand by that statement?

A Yes

Q How long have you lived at [REDACTED]?

A On and off, I've lived there for about five or six years. Moved in about 1996 and moved out recently.

Q What is the telephone number at [REDACTED]?

A [REDACTED]

Q Currently, what is your home address and telephone number?

A [REDACTED]

Q Why have you failed to keep the Department updated of your address [REDACTED] and telephone number?

A Because sometimes I live at my office, 6947 S. Archer, and also I had to keep my address and telephone number from my ex-wife because whenever she found out my phone numbers, she would call and tell me I was possessed by Satan, she would be drunk and tell me that I killed her daughter because I bought her a car. Our daughter was killed in a car accident. Even my pager number, my ex-wife found that out. She would constantly put the number "666" into my pager. She would go through my kids stuff to get my number. I figured as long as I was living sometimes in the basement of my office when I thought my ex-wife was following me and I figured as long as both address were in the city it was okay.

Q What does your ex-wife have to do with not keeping a current address and telephone number with your employer?

A She has friends that work for the Department. I do not know who they are and it would be easy to get my number from the phone book at the police station and she had done this before. In other words, I was trying to avoid conflict with my ex-wife.

MT (C)

OFFICE OF PROFESSIONAL STANDARDS
Statement of Accused, PO Michael TRACY #14349
CR. 278101
p. 3

Q Is there anything you wish to add to this statement?

A Yesterday, I updated the Department with my new address.

Q After reading this statement, consisting of 3 pages and being provided with the opportunity to make corrections, additions or deletions, and finding it to be true and accurate summarization of what you have stated, will you sign it?

A Yes


Signature of Michael Tracy

Date:

Time: 5 APR 02

1325

Witnessed:

Signature of Investigator

PERSONNEL CHANGE NOTICE/ CHICAGO POLICE DEPARTMENT

INSTRUCTIONS: Prepare one copy for the Personnel Division for all actions; copy for Unit Commander in actions marked 1

NAME (LAST)	(FIRST)	(M.I.)	STAR NO.	EMPLOYEE NO.
TRACY	MICHAEL	J	14349	
SOCIAL SECURITY NO.			JOB TITLE	
			P.O.	
DISTRICT OR UNIT	EFFECTIVE DATE	TODAY'S DATE		
008	4 APR 02	4 APR 02		

FOR ROUTING USE	PAYROLL
	BONDS & INSURANCE
	TALENT INVENTORY
	KARDEX
	JACKET FILE
	COMPT. OFFICE, CITY HALL

CHECK TYPE OF ACTION HERE	TYPE OF ACTION
	INFORMATION REQUIRED FOR THE TYPE ACTION YOU HAVE CHECKED (SPECIFY IN REMARKS SECTION BELOW)
ADDRESS CHANGE ↑	☒ Complete Change of Address section below & Change of Address form Par-72 in duplicate.
PHONE CHANGE ↑	☒ Give old and new telephone no. OLD [REDACTED] NEW [REDACTED]
BOND CHANGE	Authorize Increase or decrease of deduction only, list Social Security No.; for all other changes use C.O.51.
EMERGENCY NOTIFICATION CHANGE ↑	Give Name, address, telephone number & relationship of person to be notified.
WITHHOLDING TAX CHANGE	Explain change desired & attach W - 4 Form.
CHANGE OF SPOUSE	Give name, address, phone number.
EDUCATIONAL ACHIEVEMENT	Give dates, schools, & details of any additional courses completed. Attach copy of official records.
LANGUAGE SKILLS	List new skills acquired & specify "fluent" or "some familiarity."
MILITARY STATUS CHANGE	Give change in rank, unit, service termination date, etc.
OTHER	☒ Specify change particulars in Remarks Section

REMARKS SECTION	CHANGE OF ADDRESS
	OLD STREET ADDRESS
[REDACTED] IS MY NEW RESIDENCE	[REDACTED]
ADDRESS. KEEP [REDACTED]	[REDACTED]
AS MY MAILING ADDRESS	NEW ZIP CODE
	60632
	NEW DISTRICT/RESIDENCE
	008
SIGNATURE OF MEMBER	FOR PERSONNEL DIVISION USE
[Signature]	PAYROLL NO.
	PRESENT
	NEW (After Change)
	WITHHOLDING TAX
	HOSPITALIZATION CODE
	AMOUNT
	SAVINGS BONDS

* Unit will note change on member's Unit Personnel Card, Unit of Assignment Recall & Check-Off Roster, and District of Residence Check-Off Roster.
CPD-11.611 (Rev. 10/79)

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City of Chicago
Employee Change of Address Form

Department CHGO POLICE Bureau 008 DIS.
Name MICHAEL J. TRACY
Position title P.O.
Social Security number 350 40 4398

I understand and acknowledge that as a condition of employment with the City of Chicago I must be an actual resident of the City of Chicago.

Old Address [REDACTED] Zip Code 60638
New Address [REDACTED] Zip Code 60632
Effective Date 4/4/02

New Phone Number [REDACTED] AS MY MAILING
KEEP ADDRESS

I understand that the falsification of this statement of address shall constitute grounds for discharge from the City Service.

I understand and acknowledge that I must report any change of address immediately to my department head and to the Department of Personnel and that failure to provide such notification shall constitute grounds for discharge from the City Service.

By signing this residency affidavit, I acknowledge and represent that I have fully read and understand both the front and reverse sides of this residency affidavit, and further certify that the information which I have provided herein is true and correct.

Signed M. J. Tracy
Date 4/4/02

Complete and sign two copies.
First copy to departmental file.
Second copy to Department of Personnel.

(see reverse side)

PER - 72 (Rev. 1/84)

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G.O. 99-08

Chicago Police Department

TITLE: HANDLING PERSONS IN NEED OF MENTAL TREATMENT

ISSUE DATE: 18 August 1999

EFFECTIVE DATE: 19 August 1999

DISTRIBUTION: B

RESCINDS: Department General Order 78-19

I. PURPOSE

This order:

- A. states the immunity provision of the Illinois Department of Human Services Mental Health and Developmental Disabilities Code (405 ILCS 5).
- B. outlines procedures for:
 - 1. handling persons subject to involuntary admission to a designated mental health intake facility.
 - 2. assisting persons seeking voluntary admission to a mental health intake facility.
 - 3. handling a person who is classified as being an Unauthorized Absence (UA) from an Illinois Department of Human Services (IDHS) facility.
 - 4. locating and returning persons who are on a UA from an IDHS facility.
 - 5. processing persons who are on a UA from an IDHS facility and are in police custody for a criminal offense.
 - 6. handling persons in custody and in need of immediate mental treatment.
- C. discontinues the use of the Emergency Admittance, Mentally Disturbed form

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(CPD-11.465).

- D. provides an addendum listing designated mental health intake facilities.

II. DEFINITIONS

For purposes of this order, the following definitions will apply:

- A. **Illinois Department of Human Services Facility (IDHS)** - facility run by the State for patients who are receiving psychiatric treatment.
- B. **In Loco Parentis** - in the place of a parent; instead of a parent; charged, factitiously, with a parent's rights, duties, and responsibilities. (Black's Law Dictionary - Fifth Edition - 1979)
- C. **Mental Health Intake Facility** - facilities where a person in need of psychiatric evaluation is initially taken by assigned Department members.

NOTE: If the mental health intake facility determines that the person is in need of psychiatric treatment, that mental health intake facility will be responsible for transporting the patient to the IDHS facility.

- D. **Mental Retardation** - significantly subaverage general intellectual functioning which exists concurrently with impairment in adaptive behavior and which originates before the age of 18 years. (405 ILCS 5/1-116)
- E. **Minor** - a person under 18 years of age. (405 ILCS 5/1-117)
- F. **Unauthorized Absence (UA)** - a patient who is absent from an IDHS facility without permission.

III. STATEMENT OF LAW

- A. **IMMUNITY PROVISION OF THE MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES CODE**

"All persons acting in good faith and without negligence in connection with the preparation of applications, petitions, certificates or other documents, for the apprehension, transportation, examination, treatment, habilitation, detention or discharge of an individual under the provisions of this act incur no liability, civil or criminal, by reason of such acts." (405 ILCS 5/6-103)

B. PERSON SUBJECT TO INVOLUNTARY ADMISSION

"Person subject to involuntary admission" means a person with mental illness and who because of his or her illness is reasonably expected to inflict serious physical harm upon himself or herself or another in the near future; or a person with mental illness and who because of his or her illness is unable to provide for his basic physical needs so as to guard himself or herself from serious harm." (405 ILCS 5/1-119)

NOTE: Individuals afflicted with "mental retardation" will not be subjected to admission to a mental health intake facility unless preliminary investigation by Department members reveals the individual meets the criteria established in Item IV-A or the Department member is in receipt of an order issued by an appropriate court.

IV. PERSONS SUBJECT TO INVOLUNTARY ADMISSION

A. A Department member will take a person into custody and transport him to a mental health intake facility when:

1. the member is furnished a completed and signed "Petition for Involuntary/Judicial Admission" (MHDD-5) and an "Order of Detention, Examination, Evaluation" (MHDD-8) issued by the Circuit Court of Cook County commanding a peace officer to take custody and transport an adult person for a mental health examination, or
2. the member is furnished a completed and signed "Application by an Adult for the Admission of a Minor" (MH-6) and an "Order of Detention, Examination, Evaluation" (MHDD-8) issued by the Circuit Court of Cook County commanding a peace officer to take custody and transport a minor person for a mental health examination, or
3. the member is furnished a completed and signed "Mental Health and Developmental Disabilities Involuntary/Judicial Certificate" (MHDD-6) and a signed "Petition for Involuntary/Judicial Admission" (MHDD-5), or
4. as a result of the member's personal observation, the member has reasonable grounds to believe that the person is in need of immediate mental health evaluation to protect such person or others from physical harm. The member will complete and sign an "Application by an Adult for the Admission of a Minor" (MH-6) or a "Petition for Involuntary/Judicial Admission" (MHDD-5), as applicable, based upon

the age of the individual needing mental health treatment.

NOTE: Petition (MHDD-5) and application (MH-6) are furnished by the Illinois Department of Human Services and are available from the Equipment and Supply Section.

- B. When a Department member receives information from a third party that a person has exhibited aberrant behavior, the member may consider this information as personal observation. If the third party is unwilling or unable to sign the petition for involuntary admission, the member may sign the "Petition for Involuntary/Judicial Admission" (MHDD-5) for an adult person or an "Application by an Adult for the Admission of a Minor" (MH-6) or take other police action based on the facts of the preliminary investigation. The member will include on the petition for involuntary admission a detailed description of the aberrant behavior as stated to the member by the third party. The member will also include in the narrative portion of the petition for involuntary admission the relationship of the third party to the person who exhibited the aberrant behavior as well as the name, address, and phone number of the person reporting the aberrant behavior.

- C. Persons subject to involuntary admission will be transported by a Department member to the designated mental health intake facility in accordance with the addendum to this directive.

NOTE: Mental health intake facilities for Districts 011 and 020 are not equipped to handle violent individuals in need of mental treatment. When Department members assigned to Districts 011 and 020 encounter a violent individual in need of mental treatment, they will transport that individual to the alternate site noted in the addendum to this directive. Individuals who do not exhibit any violent behavior will be transported to the primary designated mental health intake facility noted in the addendum to this directive.

- D. Members who deliver an involuntary admission to a designated mental health intake facility will retain control of their subject until custody is transferred to the intake security staff and the receiving staff has accepted the subject.

NOTE: The Department member providing transportation to a designated mental health intake facility will complete the portion of form (MHDD-8) entitled "Return."

V. **PERSONS SEEKING VOLUNTARY ADMISSION AND NOT IN DEPARTMENT CUSTODY**

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- A. Supervisors may authorize Department transportation to a mental health intake facility for persons seeking voluntary admission when, in their judgment, a police purpose is served.
- B. Any person may be admitted to a designated mental health intake facility, in accordance with the addendum to this order, as a voluntary patient for treatment of a mental illness, upon filing of an application with the facility.
 - 1. The application for voluntary admission of a person 18 years of age or older may be executed by:
 - a. the person seeking admission, or
 - b. any interested person, 18 years of age or older, at the request of the person seeking admission.
 - 2. The application for voluntary admission of a minor may be executed by:
 - a. the minor seeking admission (the minor must be 16 or 17 years of age to sign his own application for admission), or
 - b. a parent, guardian, or by a person in loco parentis, or
 - c. a Department member, when a diligent effort to locate a parent, guardian or person in loco parentis is unsuccessful.

VI. PERSONS ON UNAUTHORIZED ABSENCE FROM AN IDHS FACILITY AND IN DEPARTMENT CUSTODY FOR A CRIMINAL OFFENSE

- A. The watch commander at the district of detention will ensure that:
 - 1. the appropriate IDHS facility is notified of the UA's status.
 - 2. the following is noted in the narrative portion of the Arrest Report:
 - a. "Do Not Release - Arrestee on Unauthorized Absence from an Illinois Department of Human Services Mental Health Facility."
 - b. the name of the IDHS facility from which the arrestee is absent.
 - 3. if the UA is released on bond, the UA is immediately transported to the appropriate IDHS facility and the facility director, or his designee,

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is provided with the applicable court information and conditions of bond.

4. if the UA is to appear before a judge for a bond hearing, inform the appropriate court sergeant/court officer of the arrestee's UA status.

B. The court sergeant/court officer will:

1. inform the Corporation Counsel or the Assistant State's Attorney handling the case of the arrestee's UA status.
2. arrange for the return of the UA to the nearest IDHS facility if the UA is released by the court.

NOTE: The court sergeant/court supervisor will contact the Office of Emergency Communications (OEC) and request that a transport vehicle, from the District where the court is located, be assigned to transport the UA to the nearest IDHS facility as outlined in the Addendum to this directive.

3. notify the appropriate IDHS facility of the status of the case if the UA is not released by the court.

VII. PATIENTS ON UNAUTHORIZED ABSENCE FROM AN IDHS FACILITY AND NOT IN DEPARTMENT CUSTODY FOR A CRIMINAL OFFENSE

Field Inquiry Section, Records Division Responsibilities

- A. When a UA may be found in Chicago, a Department of Mental Health and Developmental Disabilities form (DMHDD-23) will be faxed to the Field Inquiry Section, Records Division, from IDHS. The Field Inquiry Section will:
 1. input the information into the Hot Desk System.
 2. if the reported UA is a minor, transmit a copy of the DMHDD-23, via facsimile, to the OEC to facilitate the dispatch of a beat car to the location from which the minor UA was reported absent.
 3. delete the information from the Hot Desk System after six months if no additional information is received.
- B. When a patient has been returned to an IDHS facility, or when the patient is no longer wanted for return to an IDHS facility, the Field Inquiry Section, Records Division will:

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1. receive notification via facsimile message from the IDHS (DMHDD-23).
2. delete the information from the Hot Desk System.

VIII. PROCEDURES FOR HANDLING MINOR PATIENTS ON UNAUTHORIZED ABSENCE (UA)

A. Office of Emergency Communication Responsibilities

When the OEC Watch Manager's Office receives a facsimile from the Field Inquiry Section, Records Division, regarding a minor UA:

1. the watch manager will ensure that it is forwarded to the appropriate zone.
2. the zone's primary dispatcher will dispatch the event to a field unit which will respond to the location from which the minor UA was reported absent.

B. When notified by OEC to attempt to locate a minor UA, the assigned field unit will:

1. respond to the location from which the minor UA was reported absent.
2. follow procedures outlined in the General Order entitled, "Missing/Found Persons."

C. When a Department member encounters an on-view minor and preliminary investigation reveals the minor may be a UA, the Department member will:

1. request the OEC to conduct a Hot Desk and LEADS/NCIC inquiry (name check) to verify the minor UA's status and to ascertain from which IDHS facility the minor UA was reported absent.
2. return a minor UA to the nearest IDHS contracted community hospital according to the addendum to this directive.
3. follow the procedures for a located person as outlined in the General Order entitled, "Missing/Found Persons."
4. return to service with the appropriate service code.

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IX. HANDLING ADULT PATIENTS ON UNAUTHORIZED ABSENCE (UA)

- A. When a Department member receives information that an individual may be an adult UA, or encounters a possible on view adult UA, the Department member will request the OEC to conduct a Hot Desk and LEADS/NCIC inquiry (name check) to verify the adult UA's status and to ascertain from which IDHS facility the adult UA was reported absent.
- B. When the name check reveals the individual is an adult UA and was a **voluntary admission** to a mental health facility, the Department member will:

1. not forcibly return the adult UA to the nearest mental health facility.

NOTE: An adult UA who admitted himself voluntarily to a mental health facility may not be compelled to return to the mental health facility against his will unless the adult UA exhibits aberrant behavior or a Department member believes the adult UA may be a danger to himself or others.

2. offer to transport the adult UA to a mental health facility if the adult UA desires to return to a mental health facility.
3. if the adult UA is willing to return to the IDHS facility, transport and return an adult UA to the nearest IDHS facility (see below), regardless of the location from which the adult UA was originally reported absent.

Chicago-Read Mental Health Center
4200 North Oak Park Avenue
Chicago, Illinois 60634
(773) 794-4000

Madden Mental Health Center
1200 South First Avenue
Hines, Illinois 60141
(708) 338-7400

Tinley Park Mental Health Facility
7400 West 183rd Street
Tinley Park, Illinois 60477
(708) 614-4000

4. if the name check reveals a Missing/Found Person Case Report (CPD-11.407) was previously prepared, follow procedures outlined in the General Order entitled "Missing/Found Persons."
 5. if the name check reveals a Missing/Found Person case report has not been prepared:
 - a. complete a Miscellaneous Incident Exception Report (CPD-11.419).
 - b. enter as much information as possible about the adult UA, i.e., name, physical condition, location, date and time UA located.
 - c. request the adult UA sign the Miscellaneous Incident Exception Report indicating the adult UA refuses to return to the mental health facility.
 - d. if the adult UA refuses to sign the Miscellaneous Incident Exception Report, the Department member will so indicate in the narrative portion of the Miscellaneous Incident Exception Report.
- C. When the name check reveals an individual is an adult UA and was involuntarily admitted to a mental health facility, the Department member will:
1. transport the adult UA to the nearest mental health facility.
- NOTE:** An individual who is an adult UA from a mental health facility and was a patient at such facility due to involuntary admission will be returned to the nearest IDHS facility listed in Item IX-B-3, regardless of the UA's desire not to return to the IDHS facility.
2. if the name check reveals a Missing/Found Person case report was previously prepared, follow procedures outlined in the General Order entitled, "Missing/Found Persons."
 3. if the name check reveals a Missing/Found Person case report has not been prepared:
 - a. complete a Miscellaneous Incident Exception Report.
 - b. enter in the narrative portion of the Miscellaneous Incident

Exception Report the name of the mental health facility where the Department member transported the UA.

X. ARRESTEES IN NEED OF MENTAL HEALTH EVALUATION

- A. Arrestees charged with any offense, who are in need of mental health evaluation, will be transported to the nearest approved mental health intake facility for evaluation in accordance with the addendum to this directive.

NOTE: Arrestees charged with any offense requiring a judge's bond, who require mental health evaluation/admittance to a mental health facility, will be processed in accordance with the General Order entitled "Hospitalized Arrestees." **These arrestees will not be issued an individual recognizance bond as an incapacitated individual.** The procedures enumerated in Items X-B, X-C, and X-D of this General Order apply to misdemeanor/ordinance violations not requiring a judge's bond.

(Item X revised, 28 December 1999, General Order 98-08A).

- B. The assigned transport officers will:

1. if advised by the mental health intake facility that the arrestee needs mental health evaluation and will be admitted, advise the desk sergeant at the appropriate district of detention, that the arrestee is being admitted to a mental health facility.
2. request that the appropriate Individual Bond be prepared for the arrestee's signature and delivered to the transport officers at the mental health intake facility.

NOTE: The transport officers will remain with the arrestee until the appropriate bond formset is brought to the transporting officers and the bond formset has been presented to the arrestee for signature. **Transport officers will not leave the arrestee unguarded in order to secure a bond formset.**

3. upon receipt of the Individual Bond, request that the arrestee sign the Individual Bond.
4. if the arrestee refuses or is incapable of signing the Individual Bond, request permission from the on-duty watch commander to release the arrestee as an "Incapacitated Individual."

5. after receiving approval from the on-duty watch commander, enter the phrase "Incapacitated Individual" on the "Defendant's Signature" line of the Individual Bond.
6. provide the arrestee with the white copy entitled "Defendant's Copy" of the Individual Bond.
7. release the arrestee to the mental health intake facility personnel.
8. return to the district of detention and provide the Individual Bond formset to the watch commander if the arrestee refused or was unable to sign the Individual Bond formset.

NOTE: If the arrestee signed the Individual Bond formset, return the completed Individual Bond formset to the desk sergeant at the original district of detention for appropriate distribution.

C. The desk sergeant will:

1. inform the watch commander that the arrestee is being transported to a mental health intake facility for evaluation.
2. inform the watch commander if the arrestee is admitted to the mental health intake facility.
3. upon being notified by the transporting officers that the arrestee is being admitted to the mental health intake facility, prepare the appropriate Individual Bond for the arrestee after securing the on-duty watch commander's approval.
4. ensure the completed Individual Bond is immediately delivered to the transport officers at the mental health intake facility.
5. upon receipt of the completed Individual Bond formset, follow procedures outlined in the Department Special Order entitled "Bond Procedures."

D. The watch commander will:

1. upon receipt of the Individual Bond formset from the transporting officers, place his initials and star number next to the words "INCAPACITATED INDIVIDUAL" confirming his oral approval to the

transport officer's to release the arrestee on an Individual Bond.

2. return the Individual Bond to the desk sergeant.

NOTE:

The watch commander may authorize an arrestee to be bonded prior to the arrestee's identity being established if the arrestee is being admitted to a secured mental health intake facility. If fingerprint results later indicate the arrestee has an outstanding warrant, the on-duty watch commander will immediately notify the appropriate outside law enforcement agency or Chicago Police Department investigative unit of the location of the wanted offender and status.

Terry G. Hillard
Superintendent of Police

94-050 JDJ (ADK)

G.O. 99-08A

Chicago Police Department

TITLE: HANDLING PERSONS IN NEED OF MENTAL TREATMENT
ISSUE DATE: 28 December 1999
EFFECTIVE DATE: 29 December 1999
DISTRIBUTION: B
RESCINDS:

X. ARRESTEES IN NEED OF MENTAL HEALTH EVALUATION

- A. Arrestees charged with any offense, who are in need of mental health evaluation, will be transported to the nearest approved mental health intake facility for evaluation in accordance with the addendum to this directive.

NOTE: Arrestees charged with any offense requiring a judge's bond, who require mental health evaluation/admittance to a mental

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health facility, will be processed in accordance with the General Order entitled "Hospitalized Arrestees." These arrestees will not be issued an individual recognizance bond as an incapacitated individual. The procedures enumerated in Items X-B, X-C, and X-D of this General Order apply to misdemeanor/ordinance violations not requiring a judge's bond.

Terry G. Hillard
Superintendent of Police

94-050 JDJ (PMD)

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ISSUE DATE: 28 December 1999

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G.O. 92-03-05B

Chicago Police Department

TITLE: REPLACEMENT, TRANSFER AND REGISTRATION OF
FIREARMS; REPORTING OF LOST OR STOLEN
FIREARMS/WEAPONS

ISSUE DATE: 07 September 1995

EFFECTIVE DATE: 08 September 1995

DISTRIBUTION: C

RESCINDS: ADDENDUM 5A

I. PURPOSE

This addendum:

- A. sets forth procedures for obtaining temporary replacement of prescribed firearms and ammunition, transferring, registering and re-registering duty related and personal firearms and reporting lost or stolen firearms.
- B. discontinues use of the Authorization-Purchase of Firearm/Firearm Ammunition form (CPD-11.633, Rev. 3/93).
- C. introduces use of the following forms:
 - 1. form discontinued.
 - 2. form discontinued.
 - 3. Certifying Statement-Firearms CPD-11.702 (12/98).
(Item I-C revised, 21 Dec 98, Facsimile Message 98-003798).

II. REPLACEMENT FIREARMS AND AMMUNITION

A. Prescribed Firearms

- 1. Temporary replacement of a prescribed firearm may be obtained if the sworn member's:

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- a. prescribed firearm is lost, stolen, unserviceable, or has failed to pass inspection. With the approval of his unit/watch commander or the approval of the firearms range officer, a request for a temporary replacement firearm and ammunition will be made by submitting a report and all related documentation, such as case reports, gunsmith's repair receipts, purchase orders, etc., to the Office of the First Deputy Superintendent.
 - b. prescribed firearm is to be examined by the Crime Laboratory Division. The member may request a temporary replacement of a prescribed firearm, if necessary by:
 - (1) completing the Weapon Discharge Report (CPD-11.489) including the Firearm Loan Request section, and obtaining the unit/watch commander's written approval.
 - (2) submitting a copy of the Weapon Discharge Report and a copy of the Property Inventory (CPD-34.523) listing the member's prescribed firearm to the Office of the First Deputy Superintendent.
2. A sworn member who has been issued a temporary replacement firearm will be responsible for the proper care, maintenance and return of the firearm to the Office of the First Deputy Superintendent. If a member must retain the replacement firearm for more than thirty days, he will appear in person at the Office of the First Deputy Superintendent with the loaned firearm and submit a report with his unit/watch commander's approval explaining the reason(s) for the extension.
 3. The B.O.S. Loan Receipt (CPD-20.012) will be prepared when a replacement firearm is issued.

B. Replacement Ammunition

Each district is supplied with two hundred +P, one hundred non +P and two hundred 9mm caliber prescribed cartridges. The watch commander is responsible for the security and issuance of the ammunition. Additional cartridges will be requested from the Equipment and Supply Section on a Material Requisition form (CP-GS-6).

1. Any member, regardless of assignment, may obtain replacement

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ammunition for cartridges that are lost, stolen, damaged, defective or expended in the line of duty. This provision applies to .38 Special or 9mm caliber ammunition only.

2. Whenever the replacement of cartridges becomes necessary, the requesting member will submit a copy of a Weapon Discharge Report and/or related documentation to the watch commander from the district of occurrence.

3. The watch commander will note the number and type of cartridges issued and sign his name and enter his rank on the reverse side of the report. The report will be forwarded to the district commander.

C. Replacement Ammunition - Department Special Weapons

Members will follow established material requisition procedures and submit copies of the Weapon Discharge Report and/or related documentation when requesting replacement of expended, damaged, lost, stolen or defective Department ammunition.

III. SALE/TRANSFER OF WEAPONS

A. 430 ILCS article 65, Firearm Owners Identification Card Act states that no person may acquire or possess any firearm or firearm ammunition without having in his possession a current Firearm Owner's Identification Card (FOID). Provisions of this article do not apply to law enforcement officials while engaged in the operation of their official duties.

B. The Violent Crime Control and Law Enforcement Act of 1994 (the Act) prohibits the manufacture, transfer and possession of semi-automatic assault weapons and prohibits the transfer and possession of high capacity ammunition feeding devices (magazines having a capacity of more than 10 rounds of ammunition). Exceptions to the restriction on assault weapons and high capacity magazines are provided to manufacturers for transfer to and possession by governmental entities and law enforcement officers employed by such entities for official use.

C. A sworn member who wishes to purchase a duty-related:

1. revolver will obtain one copy of the Authorization-Purchase of Firearm/Firearm Ammunition form.

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2. semi-automatic pistol will obtain one copy of the Authorization-Purchase of Firearm/Firearm Ammunition and one copy of the Exemption to Purchase High Capacity Magazine/Assault Weapon forms.
 3. high capacity magazine will obtain one copy of the Exemption to Purchase High Capacity Magazine/Assault Weapon form.
- D. A sworn member not in possession of a valid FOID card or a sworn member who possess a valid FOID card and requests a waiver of the required waiting period, is required to obtain the Authorization-Purchase of Firearm/Firearm Ammunition form.
- E. The Authorization-Purchase of Firearm/Firearm Ammunition and the Exemption to Purchase High Capacity Magazine/Assault Weapon forms are obtainable from the member's unit of assignment.
- F. The Authorization-Purchase Firearm/Firearm Ammunition form and/or the Exemption to Purchase High Capacity Magazine/Assault Weapon form will be retained by the firearm dealer as verification of the exempt status of the sworn member.
- G. Department members will not sell, give, lend or dispose of a firearm or other deadly weapon unless the transaction complies with city, state and Federal laws.
- H. The sale and transfer of duty related firearms from one sworn member to another sworn member do not require the buyer to possess a FOID card. A FOID card is required for the sale and transfer of all non-duty related firearms.
1. A member buying or receiving a firearm will obtain a Firearm Purchase Authorization form (CPD-31.220) obtainable from either the Field Inquiry Section or Gun Registration Section. The Firearm Purchase Authorization form, prepared in triplicate, authorizes the transfer of duty related firearms to Department sworn members without a FOID card.
 - a. Duty related firearms
 - (1) The dealer/seller will complete the "Dealer/Seller Section" of the Firearm Purchase Authorization form. The original Firearm Purchase Authorization form will be retained by the dealer/seller, one copy will be retained by the member and one copy will be forwarded to and retained by the

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Gun Registration Section. The dealer/seller will retain the original and the buyer will retain a copy of the Firearm Purchase Authorization form for their records for a period of 10 years from the date of transfer (430 ILCS 65/3).

- (2) The buyer will forward one copy of the Firearm Purchase Authorization form and a completed Firearms Registration Application (CPD-31.562, Rev. 1/95) to the Gun Registration Section.
- (3) The Firearms Registration Application will be processed in accordance with the provisions of Item V of this addendum.

b. Non-duty related firearms

- (1) The original Firearm Purchase Authorization form along with the member's valid FOID card will be presented to the dealer/seller. The dealer/seller will complete the "Dealer/Seller Section" of the Firearm Purchase Authorization form. The dealer/seller will retain the original and the buyer will retain a copy of the Firearm Purchase Authorization form for their records for a period of 10 years from the date of transfer (430 ILCS 65/3).
- (2) The buyer will forward one copy of the Firearm Purchase Authorization form and a completed Firearms Registration Application with the required **registration fee** to the Gun Registration Section.

2. If the firearm is a duty related firearm, the completed Firearms Registration Application will be processed in accordance with the provisions of Item V of this addendum.

- I. Department members will not transfer a firearm or firearm item prohibited under the Act to any person not exempt from the prohibitions of the Act.
- J. Department members will not transfer a firearm and/or ammunition to a resident of the City of Chicago, except in accordance with the provisions of Section 8-20-170 of the Municipal Code of Chicago. All state and Federal laws will be complied with when transferring firearms. A member who transfers a firearm

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and/or ammunition will submit a To-From-Subject report to the commanding officer of the Gun Registration Section. Members will retain a copy of the report for their records. The To-From-Subject will include:

1. the name and address of the person to whom the firearm and/or ammunition was transferred.
2. the date the transfer was made.

IV. CITY REGISTRATION

- A. All firearms located in the City of Chicago must be registered and/or re-registered in accordance with the provisions of Chapter 8-20 of the Municipal Code of Chicago. It is the responsibility of the person owning or possessing a firearm to comply with these provisions.
- B. Sworn members will re-register non-duty related firearms annually at least sixty days prior to the expiration date indicated on the certificate. Sworn members are not required to re-register duty related firearms.
- C. Sworn members registering only duty related firearms, as identified in Addenda 1,2, and 4A of this directive, are exempt from the registration fee.

V. FIREARM REGISTRATION AND RE-REGISTRATION PROCEDURES

- A. A Firearm Registration Application must be completed for each firearm to be registered and/or re-registered.
- B. When registering duty and/or non-duty related firearms and/or re-registering non-duty related firearms, members will comply with all of the instructions stated on the reverse side of the Firearm Registration Application. In addition, a member registering a duty related firearm(s) only will:
 1. enter "CPD" and his unit number of assignment on the "A" and "B" portions of the application, in the box entitled "Business Address."
 2. submit the completed Firearm Registration Application to his unit/watch commander.
- C. Probationary police officers registering duty related firearms will submit an Affidavit of Employment (CPD-31.563) with their Firearms Registration

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Application. Non-probationary sworn members are not required to submit an Affidavit of Employment; the unit/watch commander's signature will serve as verification of employment in order to qualify for a fee waiver.

- D. Members registering non-duty related firearms will submit the Firearm Registration Application(s), a copy of their current FOID card, and the registration fee directly to the Gun Registration Section. Department mail may be used. **Do not separate the Firearms Registration Application(s).**
- E. The unit/watch commander will:
1. review Firearm Registration Applications, for duty related firearms only, to verify that:
 - a. the named applicant is a sworn member of the Department.
 - b. all instructions have been complied with and the necessary attachments have been submitted.
 - c. the firearm listed on the application is a Department authorized duty related firearm.
 2. attest to the above facts by signing his name, star number, and unit number of assignment in the appropriate space of the "C" portion of the application.
 3. return the signed Firearm Registration Application to the member who will forward the application via Intra-Departmental mail to the Gun Registration Section, Room CL90, Daley Center.
- F. Certificates of Registration for duty-related firearms will be returned to the unit indicated in the box entitled "Business Address" through Department mail. Certificates of Registration for sworn members no longer in the unit will be forwarded to their new unit of assignment by unit secretaries. Firearm Registration certificates for non-duty related firearms will be returned directly to the registering member.

VI. REPORTING REQUIREMENTS, LOSS OR THEFT OF FIREARMS/WEAPONS

A. Requirements

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Firearms personally owned or possessed by sworn members and firearms and/or weapons owned by the Department or for which the Department is responsible are subject to the reporting procedures outlined in this and related Department directives.

B. Responsibilities

Member Reporting the Loss of Theft of Firearms/Weapons

1. If the loss or theft occurs within the City of Chicago, the member will promptly report the incident to the Department. The member preparing the case report will:
 - a. complete the appropriate case report in accordance with existing Department directives.
 - b. ensure that a COS message is sent and that the COS message number is included in the narrative portion of the case report.
 - c. mark the "Extra Copy Required" box, one copy to Gun Registration.
2. If the member is unable to report the incident, the first on-duty supervisor having knowledge of the occurrence will assume the initial reporting responsibility.
3. If the incident occurs outside the corporate boundaries of the City of Chicago, the member will:
 - a. promptly report the incident to the law enforcement agency having jurisdiction.
 - b. record the responsible agency's case or incident number and the LEADS/NCIC number.
 - c. immediately notify the Communication Operations Section upon return to Chicago. The COS will assign a member who will prepare a General Offense Case Report (CPD-11.380) using either Offense Code 5080 (Other Non-Criminal Service Concerning Persons) or Offense Code 5081 (Other Non-Criminal Service Concerning Property). The beat of occurrence will be shown as 3100 for incidents occurring outside the

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corporate boundaries of the City of Chicago. The beat of occurrence will be shown as 4100 for incidents occurring outside of the State of Illinois. The narrative portion of the case report will include:

- (1) an accounting of the incident.
- (2) the manufacturer, model and serial number of the firearm/weapon.
- (3) the responsible agency's incident/case report number and the LEADS/NCIC number.
- (4) a notation in the "Extra Copies Required" box, one copy to Gun Registration.

4. Supervisory/Command Members

Whenever an incident involves a firearm or weapon owned by the Department or a firearm or weapon for which the Department is responsible, supervisory/command members will ensure that:

- a. Operations Command is notified.
- b. a copy of the case report and related documentation is forwarded to the Office of the First Deputy Superintendent.

Matt L. Rodriguez
Superintendent of Police

95-052 FC (GHY)

FACSIMILE MESSAGE

Issue Date: 21 December 1998
Message Number: 98-003798
To: All District/Unit commanding Officers

G.O. 92-03-05B

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From: Barbara B. McDonald, Director
Research and Development Division

Message:

Reference: General Order 92-3 Addendum 5B entitled "Replacement, Transfer and Registration of Firearms; Reporting of Lost or Stolen Firearms/Weapons"

This is to inform Department members that the Authorization - Purchase of Firearm/Firearm Ammunition CPD-11.633 (Rev. 8/95) and Exemption to Purchase High Capacity Magazine/Assault Weapon CPD-11.649 (8/95) forms have been discontinued.

Begin use of the Certifying Statement-Firearms CPD-11.702 (12/98) which replaces the two forms mentioned above.

Pads of 100 CPD-11.702 forms are currently being distributed to all districts and specific units. Additional forms can be obtained from the Gun Registration Section.

Barbara B. McDonald, Director
Research and Development Division

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G.O. 93-03-02B

Chicago Police Department

TITLE: SPECIFIC RESPONSIBILITIES

ISSUE DATE: 23 May 2001

EFFECTIVE DATE: 24 May 2001

DISTRIBUTION: C

RESCINDS: General Order 93-03-02A

I. PURPOSE

This addendum:

- A. defines the responsibilities of Department members when allegations of misconduct come to their attention.
- B. sets forth procedures relative to certain investigatory and review functions.

II. RESPONSIBILITIES

A. Individual Responsibilities

1. All Department members will perform the duties and assume the obligations of their rank and/or position in the investigation of complaints or allegations of misconduct against any Department member.
2. Each member will cooperate with personnel from the Office of Professional Standards, the Internal Affairs Division, or any other member conducting such investigation.
3. Department members who are not directly assigned to a Complaint Register (CR) investigation, including members in command channel review, will not contact complainants or witnesses for the purpose of reinvestigating, obtaining additional information, or clarifying information regarding the case.

NOTE: This prohibition does not apply to Department members directed by the Superintendent to contact complainants

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or witnesses to ensure compliance with this directive or to verify the information obtained during the investigation as part of an audit or quality control check.

4. A Department member within the command channel review process with concerns regarding missing, erroneous, or vague information relative to a CR investigation will address those concerns in a nonconcurrence report.
5. Members who have knowledge of circumstances relating to a complaint will submit an individual written report to a supervisor before reporting off duty on the day the member becomes aware of the investigation. The report will include the CR number and all facts relating to the incident known or reported to the member. The supervisor will forward one copy of any such report or document without unnecessary delay, directly to either the Office of Professional Standards or the Internal Affairs Division. A letter of transmittal or cover report is not required when such reports or documents are forwarded.

B. Initiation Responsibilities and Procedures

1. When misconduct is observed or a complaint relative to misconduct is received by a non-supervisory member, such member will immediately notify a supervisory member and prepare a written report to the commanding officer containing the information received, observations made, and any action taken.
2. When misconduct is observed or a complaint relative to misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives without looking to higher authority for such action.
3. When reports of alleged or suspected violations are received, the supervisor or command officer who first receives information of the alleged violation will:
 - a. report the information to the Office of Professional Standards by telephone within one hour after the information is received. This does not apply to violations for which summary punishment may be administered.
 - b. record all information available at the time the complaint was received in statement or report form and forward the report to

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the Office of Professional Standards without unnecessary delay.

4. When reports of alleged or suspected violations are taken at the Office of Emergency Communications, the individual receiving the complaint will forward the phone call to the Office of Professional Standards.
5. Telephone notifications and reports to the Office of Professional Standards will not be made when a complaint involves only differences of opinion between a Department member and a citizen as to whether a Personal Service Citation should have been issued. If there is an accompanying allegation of misconduct, the investigation will be directed toward that specific allegation.
6. Telephone notifications and reports to the Office of Professional Standards will not be made when the complaint involves only differences of opinion between Department members concerning the provisions of a Collective Bargaining Agreement. If there is an accompanying allegation of misconduct, the investigation will be directed toward that specific allegation.

C. Office of Professional Standards

The Office of Professional Standards investigates complaints of excessive force and other matters as directed by the Superintendent. The Office of Professional Standards will:

1. upon receipt of a complaint of alleged misconduct against a member of the Department,
 - a. register the complaint except when:
 - (1) the complaint involves only differences of opinion between a Department member and a citizen as to whether a Personal Service Citation should have been issued.
 - (2) the complaint involves only differences of opinion between Department members concerning the provisions of a Collective Bargaining Agreement.

NOTE: In Items II-C-1-a-(1) and (2) above, if there is an accompanying allegation of

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misconduct, the complaint will be registered and the investigation will be directed toward that specific allegation.

- b. prepare a Complaint Against Department Member (CPD-44.202) form- set, including as many details and circumstances of the allegation as feasible.
 - c. advise the person making the complaint of the Complaint Register number assigned.
 - d. inform the complainant by mail of the Complaint Register number.
 - e. notify the administrator and other members of the Office of Professional Standards, as appropriate.
 - f. forward one copy of the Complaint Against Department Member formset to the Internal Affairs Division.
 - g. after an initial review regarding the nature of the allegations of misconduct, either:
 - (1) investigate the complaint in a fair and impartial manner, or;
 - (2) notify the Internal Affairs Division that the complaint involves allegations of misconduct that are not investigated by the Office of Professional Standards
 - h. inform the complainant and the accused member by mail of the final classification of the complaint.
2. review instances of injury or death of a person involving alleged action of a Department member (excluding automobile accidents unless assigned by the Superintendent) and conduct an independent investigation, when warranted.
 3. establish and maintain a liaison with the Cook County State's Attorney's Office, the United States Attorney's Office, the City Department of Law, the courts, bar associations, other law enforcement agencies, community groups, and represent the Superintendent in other matters as directed.

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4. review all assigned cases wherein a member is recommended for separation and assist the Office of Legal Affairs in the preparation of cases for presentation to the Chicago Police Board as determined to be appropriate by the Commanding Officer of the Office of Legal Affairs.
5. safeguard the Complaint Register and allow access only to:
 - a. the Superintendent;
 - b. the Deputy Superintendents;
 - c. the General Counsel to the Superintendent;
 - d. the Assistant Deputy Superintendent, Internal Affairs Division;
 - e. the Assistant Deputy Superintendents, Operations Command;
 - f. the Commander, Auditing and Internal Control Division;
 - g. Commanding Officer, Office of Legal Affairs, and;
 - h. any other member of the Department designated by written order of the Superintendent.

D. Internal Affairs Division

1. The Internal Affairs Division investigates all complaints of misconduct against Department members not conducted by the Office of Professional Standards.
2. The Internal Affairs Division may assist investigators engaged in complaint register investigations when requested to do so, and may provide such assistance without request if the seriousness of the alleged violation appears to warrant involvement of the Division in the investigation.
3. Members of the Department who feel that they have been the subject of a false accusation or a contrived situation may request an investigation by the Internal Affairs Division by submitting a written report of the situation directly to the Superintendent of Police or the Assistant Deputy Superintendent, Internal Affairs Division. Members may submit this request without prior report to their superiors.

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4. Upon receipt of a complaint for investigation from the Office of Professional Standards, the Internal Affairs Division will:
 - a. investigate the complaint or refer it to the appropriate command for investigation with photocopies of any related reports.
 - b. inform the complainant and the accused member by mail of the final classification of the investigation at its conclusion.
5. It is the responsibility of the Internal Affairs Division to:
 - a. establish and maintain a liaison with the Cook County State's Attorney's Office, the United States Attorney's Office, the courts, bar associations, other law enforcement agencies, community groups, and represent the Superintendent in matters as directed.
 - b. review all assigned cases in which a member is recommended for separation.
 - c. assist the Office of the Corporation Counsel in the preparation of cases for presentation to the Chicago Police Board as determined to be appropriate by the General Counsel to the Superintendent of Police and the Superintendent of Police.

E. Command Consultation and Guidance

Members assigned to the Internal Affairs Division, Office of Professional Standards, the Office of Legal Affairs, the General Counsel to the Superintendent, and the Assistant Deputy Superintendents assigned to Operations Command will be available for consultation and guidance relative to complaint register investigations.

F. Superintendent of Police

The Superintendent of Police will review recommendations for disciplinary action including those of a Complaint Review Panel and will take such action as he deems appropriate. Nothing in this order diminishes the authority of the Superintendent of Police to order suspensions, to separate provisional employees or probationary employees, or to file charges with the Police Board at his own discretion without regard to recommendations made by a Complaint Review Panel or subordinates.

Terry G. Hillard
Superintendent of Police

01-024 LMT(PMD)

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G.O. 93-03-05

Chicago Police Department

NOTE: FILE ONE OF TWO

TITLE: SPECIAL SITUATIONS

ISSUE DATE: 13 January 1993

EFFECTIVE DATE: 15 January 1993

DISTRIBUTION: C

RESCINDS:

I. PURPOSE

This addendum identifies certain special situations and sets forth procedures for their investigation and processing.

II. SPECIAL SITUATIONS

A. Indebtedness

1. Members who incur just debts are expected to liquidate such debts within a reasonable period of time.
2. Wages of public employees are not immune from garnishment.
3. Any member receiving a complaint of indebtedness, other than a complaint of Indebtedness to the City of Chicago, will inform the creditor reporting such Indebtedness that an adequate remedy for a creditor is now provided by law.
4. Complaints of Indebtedness to the City will be processed pursuant to the provisions of the Department directive entitled, "Indebtedness to the City of Chicago."
(Item II-A revised, 02 Dec 1996, Facsimile Message 96-004801).

B. Arrest Warrants and Judicial Non-Traffic Summons for Department Members

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1. A warrant clerk will, when preparing an application for a warrant against a Department member:
 - a. follow the procedures outlined in the Department Special Order entitled "Judicial Non-Traffic Summons."
 - b. ascertain if a Complaint Register number has been obtained.
 - c. immediately notify a supervisory member in instances where a Complaint Register number has not previously been obtained.
 - d. accompany the complainant to court and inform the judge that the person against whom the complaint is being filed is a member of the Chicago Police Department and that the matter is being investigated by the Department.
 - e. submit a brief report of the circumstances to the Office of Professional Standards or Internal Affairs Division, as appropriate.
2. When a member assigned to serve a warrant determines that the person named in the warrant is a member of the Department, he will notify his supervisor who, in turn, will notify the Office of Professional Standards. The Complaint Register number assigned by the Office of Professional Standards will be recorded on the Arrest Report (CPD-11.420).
3. Whenever a member of the Department is subjected to a physical arrest by the Chicago Police Department for other than a traffic or conservation offense, the case will be set for a court hearing within five days after the date of arrest.
4. Whenever a member of the Department is subjected to a physical arrest for a traffic or conservation offense, the case will be set for a court hearing in accordance with existing Department directives.

C. The Polygraph

1. When a polygraph examination is deemed necessary, the complainant will be requested to take a polygraph examination first.
2. If the complainant does not take the polygraph exam, the accused police

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officer will not be requested to take a polygraph exam.

3. If the complainant takes the polygraph exam and the results indicate deception, the accused officer may be requested to take a polygraph exam covering those issues wherein the examiner determines that the complainant is truthful.
4. When the polygraph is used, the accused member will be advised 24 hours prior to the administering of the tests, in writing, of any questions to which the Department will request an answer.
5. If the officer under investigation requests to take a polygraph exam, he may do so. However, an officer shall not be disciplined for refusal to take a polygraph exam, and the results of the polygraph exam shall not be admissible as evidence in proceedings before the Police Board, or in any proceedings where the officer may appeal to the Police Board, unless by Illinois or Federal Court decision or Illinois Statute such evidence becomes admissible before the Police Board.

D. Resisting a Police Officer, Obstructing a Police Officer, Assault of a Police Officer and/or Battery of a Police Officer.

1. In every instance when a person is arrested for Resisting a Police Officer, Obstructing a Police Officer, Assault of a Police Officer, and/or Battery of a Police Officer, the arresting officer and the booking officer will notify the district watch commander immediately. The arresting officer, when appropriate, will also follow the procedures contained in the Department Special Order entitled "Police Officer's Battery Reporting Procedures."
2. The watch commander will personally conduct a complete and thorough investigation into the circumstances of the arrest and any injuries. This must include an interview of the arrestee(s) and the arresting officer(s) and, when circumstances permit, the taking of photographs.
3. When improper action of the arresting officer is indicated during the investigation, the watch commander will immediately notify the office of Professional Standards and obtain a Complaint Register number.
4. Before completing his tour of duty, the watch commander will prepare:
 - a. in a To-From-Subject format, a comprehensive report of his

investigation when the findings are inconclusive or a violation of Department policy is noted. This report, with all available related documents, will be distributed as a package as follows: original to the Office of Professional standards, 1 (one) copy to each: the Office of the First Deputy Superintendent, appropriate Area Deputy Chief of Patrol, District Commander of the district of occurrence and to the member's Unit/District commander if the member is not assigned to the investigating unit/district.

NOTE: In those instances wherein a violation of Department Policy was noted and a complaint register (CR) number was obtained, the To-From-Subject report will also serve as the CR initiation report.

- b. The Watch Commander's Summary Report (CPD-21.955) for each investigation (excluding investigations of aggravated battery of a police officer) when there is no violation of Department policy. This report, with all available related documents attached, will be distributed as a package as follows: original to the Office of Professional Standards, 1 (one) copy to each: the Office of the First Deputy Superintendent, appropriate area Deputy Chief of Patrol, District Commander of the district of occurrence and to the member's Unit/District Commander if the member is not assigned to the investigating unit/district.

(Item II-D-4 amended, 12 Nov 1997, Facsimile Message 97-004977).

E. Allegations of Impairment, Involving the Operation of a vehicle-- on or off duty

- 1. Allegations of impairment involving the operation of a vehicle include driving while under the influence of alcohol, or a combination of alcohol and drugs.
- 2. The meaning of the term "drugs" will include but not be limited to cannabis as defined in Chapter 56 ½, Section 703, Illinois Revised Statutes, and controlled substances as defined in Chapter 56 ½, Section 1102, paragraph (f), Illinois Revised Statutes, or as amended.
- 3. In every instance when a complainant or a sworn member makes an allegation against a Department member relating to impairment while operating a motor vehicle, in addition to complying with the provisions of Addendum 2 of this directive, the procedures outlined below will be

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followed.

- a. The responsible command or supervisory member will:
 - (1) obtain a Complaint Register number.
 - (2) ensure that a To-From-Subject report is obtained from each member having knowledge of the circumstances surrounding the complaint.
 - (3) prepare a To-From-Subject report summarizing the preliminary investigation.
 - b. The accused member will be requested to read and sign a Notification of Charges/Allegations (CPD-44.115) to acknowledge that he has received a written copy of the specific allegations made against him.
 - c. The incident will be investigated in accordance with the provisions of the General Order entitled "Driving While under The Influence-Implied Consent" and any related directives (e.g., "Traffic Accident investigation, " etc.).
 - d. *When the accused member has complied with all the provisions (e.g., Alcohol/Drug Influence Report (CPD-22.118), breath test , etc.) of the General Order entitled "Driving While Under The Influence — Implied Consent," it will not be necessary to repeat these procedures in the administrative phase of the investigation. In these cases the investigating member will photocopy the completed form. The words "Administrative Phase" will be inserted in the DUI Citation Number section of the Alcohol/Drug Influence Report photocopy and noted as an attachment to the administrative phase of the CR file.*
(Item II-E-3-d revised, 15 May 2001, General Order 93-03-05A.)
4. The responsible command or supervisory member will advise the accused member when the criminal segment of the preliminary investigation has been terminated, regardless of whether or not the accused member is subsequently charged with a violation of Chapter 95 ½, Section 11.501. When the accused member has not completed or has refused to comply with any of the tests required in the investigation

of allegations of Driving While Under the Influence of Alcohol, Drugs or a Combination Thereof-Implied Consent (Illinois Revised Statutes, Chapter 95 ½, Section 11.501), as applicable, the following mandatory procedures will be required under Administrative Proceedings.

a. The accused member will be:

- (1) *presented with the Administrative Proceedings Rights form (CPD-44.105) before being asked the questions in the "Interview" section of the Alcohol/Drug Influence Report or any other questions which would tend to prove or disprove the allegation.*
- (2) *ordered to submit to a visual examination, the results of which will be recorded in the "Observations" section of the Alcohol/Drug Influence Report.*
- (3) *ordered to complete the "Standardized Field Sobriety Tests," the results of which will be recorded on the Alcohol/Drug Influence Report.*

(a) The investigating member will:

- i) *use a separate Alcohol/Drug Influence Report for this administrative phase.*
- ii) *insert the words "Administrative Phase" in the DUI Citation Number section (top center) of the Alcohol/Drug Influence Report.*
- iii) *write "D - N - A" (Does Not Apply) over the Court Information section in the top right hand corner of the Alcohol/Drug Influence Report.*
- iv) *write the CR number in the Traffic Court/Records Unit Control Number section in the lower right hand corner of the Alcohol/Drug Influence Report.*

- (b) *Standardized Field Sobriety Tests will be administered by a sworn member at least one rank above the rank of the member being examined. In those instances when the accused member is a supervisory member, the Standardized Field Sobriety Tests will be conducted by the watch commander of the district of occurrence. If the circumstances require the presence of an exempt member, this member will be responsible for signing the report to indicate that his/her assessment of the accused member's condition is basically consistent with that of the examiner.*
- (4) *ordered to answer the questions in the "Interview" section of the Alcohol/Drug Influence Report.*
- (5) *ordered to submit to a breath test, the results of which will be entered into the "Breath Test" section of the Alcohol/Drug Influence Report.*
- (6) *ordered to submit a urine specimen if physically incapable of taking a breath test and not hospitalized, if the results of the Breath Test are inconclusive, or if the results of the breath test are inconsistent with the degree of impairment or the allegation focuses upon drugs. Once a decision is made by the responsible command or supervisory member to have the accused member submit a urine specimen, no action pertaining to the collection of the urine specimen will be initiated until after the Internal Affairs Division has been notified. Urine specimen containers can be obtained from the Internal Affairs Division on the 2nd and 3rd watches by calling Pax 0610 and on the 1st watch by calling Pax 0301.*
(Item II-E-4-a revised, 15 May 2001, General Order 93-03-05A.)
- b. The urine specimen will be:
- (1) collected in a manner that will preserve the dignity of the accused member and ensure the integrity of the sample.
- (2) collected in the presence of the investigating supervisor

only if the supervisor is of the same sex as the accused member. When the supervisor is not of the same sex as the accused member, arrangements will be made to have a sworn member of the same sex as the accused member witness the collection of the urine specimen. The responsible command or supervisory member will submit a To-From-Subject report which identifies the sample collection site, the date and time of the collection, the identity of the witness to the collection, and any other circumstances pertaining to the investigation.

- (3) turned over to a member of the Internal Affairs Division who will assume the responsibility for ensuring that the urine specimen is properly secured in accordance with established division-level standard operating procedures, pending laboratory processing.

- c. If the accused member refuses to provide a urine specimen or has refused to complete or comply with any tests required in conjunction with the administrative segment of the investigation, a violation of the Department Rules and Regulations, "Disobedience of an Order or Directive Whether Written or Oral", will be added to the administrative charges against the accused member.
- d. All completed reports and forms relating to the incident will be distributed in accordance with the General Order entitled "Driving While Under the Influence-Implied Consent" and/or the addendum to this order entitled "Reporting and Review Procedures," as applicable.

F. Allegations of Impairment, Not Involving the Operation of a Vehicle--on or off duty

- 1. Allegations of impairment, not involving the operation of a vehicle include:

- a. Alcohol Intoxication.

Alcohol intoxication means that a person's mental or physical functioning is substantially impaired as a result of the use of alcohol.

b. Being under the Influence of Drugs.

Drugs include but are not limited to the following - cannabis as defined in Chapter 56 ½, Section 703, Illinois Revised Statutes, and controlled substances as defined in Chapter 56 ½, Section 1102, paragraph (f), Illinois Revised Statutes, or as amended.

c. Being under the Influences of a Combination of Alcohol and Drugs.

2. Whenever a sworn member or complainant makes an allegation against a Department member relating to impairment not involving the operation of a vehicle, the procedures outlined below will be followed.

a. The responsible command or supervisory member will:

- (1) obtain a Complaint Register number.
- (2) ensure that a To-From-Subject report is obtained from each member having knowledge of the circumstances surrounding the complaint.
- (3) prepare a To-From-Subject report summarizing the investigation.

b. *The accused member will be requested to read and sign a Notification of Charges/Allegations (CPD-44.115) to acknowledge that he/she has received a written copy of the specific allegations made against him/her and will be:*

- (1) *presented with the Administrative Proceedings Rights form (CPD-44.105) before being asked the questions in the "Interview" section of the Alcohol/Drug Influence Report or any other questions which would tend to prove or disprove the allegation.*
- (2) *ordered to submit to a visual examination, the results of which will be recorded in the "Observations" section of the Alcohol/Drug Influence Report.*
- (3) *ordered to complete the Standardized Field Sobriety Tests, the results of which will be recorded on the*

Alcohol/Drug Influence Report.

- (a) *The investigating member will:*
- i) *use a separate Alcohol/Drug Influence Report for this administrative phase.*
 - ii) *insert the words "Administrative Phase" in the DUI Citation Number section (top center) of the Alcohol/Drug Influence Report.*
 - lii) *write "D – N – A" (Does Not Apply) over the Court Information section in the top right hand corner of the Alcohol/Drug Influence report.*
 - iv). *write the CR Number in the Traffic Court/Records Unit Control Number section in the lower right hand corner of the Alcohol/Drug Influence Report.*
- (b) *The Standardized Field Sobriety Tests will be administered by a sworn member at least one rank above the rank of the member being examined. In those instances when the accused member is a supervisory member, the Standardized Field Sobriety Tests will be conducted by the watch commander of the district of occurrence. If the circumstances require the presence of an exempt member, this member will be responsible for signing the report to indicate that his/her assessment of the accused member's condition is basically consistent with that of the examiner.*
- (4) *ordered to answer the questions in the "Interview" section of the Alcohol/Drug Influence Report.*
- (5) *ordered to submit to a breath test, except when the allegation focuses exclusively on drugs, the results of which will be recorded in the "Breath Test" section of the Alcohol/Drug*

influence Report.

- (6) ordered to submit a urine specimen if physically incapable of taking a breath test and not hospitalized, or if the results of the breath test are inconclusive, or if the results of the breath test are inconsistent with the degree of impairment or the allegation focuses upon drugs. Once a decision is made by the responsible command or supervisory member to have the accused member submit a urine specimen, no action pertaining to the collection of the urine specimen will be initiated until after the Internal Affairs Division has been notified. Urine specimen containers can be obtained from the Internal Affairs Division on the 2nd and 3rd watches by calling Pax 0610 and on the 1st watch by calling Pax 0301.
(Item II-F-2-b revised, 15 May 2001, General Order 93-03-05A.)

c. The urine specimen will be:

- (1) collected in a manner that will preserve the dignity of the accused member and ensure the integrity of the sample.
- (2) collected in the presence of the investigating supervisor only if the supervisor is of the same sex as the member: When the supervisor is not of the same sex as the accused member, arrangements will be made to have a sworn member of the same sex as the accused member witness the collection of the urine specimen. The responsible command or supervisory member will submit a To-From-Subject report which identifies the sample collection site, the date and time of the collection, the identity of the witness to the collection, and any other circumstances pertaining to the investigation.
- (3) turned over to a member of the Internal Affairs Division who will assume the responsibility for ensuring that the urine specimen is properly secured in accordance with established division-level standard operating procedures, pending processing by a medical laboratory.

- d. If the accused member refuses to provide a urine specimen or has refused to complete or comply with any tests required in conjunction with the administrative segment of the investigation,

a violation of the Department Rules and Regulations, e.g., disobedience of an order or directive whether written or oral, will be added to the administrative charges against the accused member.

- e. All completed reports and forms relating to the incident will be distributed in accordance with the procedures established in the addendum to this order entitled "Reporting and Review Procedures."

G. Allegations of Miscellaneous Drug Related Activity -- on or off duty

- 1. Allegations of miscellaneous drug related activity include, but are not limited to a member's:

- a. unauthorized involvement with a person or enterprise engaged in the illegal use, sale, delivery, manufacture, purchase, or possession of drugs.

NOTE: For the purpose of this order, the meaning of the words "person" and "enterprise," will be understood to be that of the definitions provided in Chapter 56 ½, Paragraph 1653, Illinois Revised Statutes.

- b. illegal sale, delivery, manufacture, purchase, possession or use of drugs.

- 2. Whenever an allegation against a Department member concerning any of the above categories of conduct is received, the responsible command or supervisory member will obtain a Complaint Register number.
- 3. The Complaint Register investigation and the preliminary investigation of all criminal charges, where applicable, will be conducted in conformance with existing Department procedures.
- 4. Whenever the results of the preliminary criminal investigation indicate reasonable grounds to believe that the accused member is involved in illegal drug related activity, or upon completion of the initial stages of an administrative investigation which indicates reasonable grounds to believe that the accused member is personally using illicit drugs or is

personally misusing legally prescribed or dispensed medications, the accused member will be required to submit a urine specimen in accordance with the procedures established in Item II-E-4-b of this addendum.

H. Repeated Minor Infractions

Department members who have repeated minor infractions will, in addition to any disciplinary action, be processed in accordance with the Department directive entitled "Personnel Concerns."

I. Civil Suits Against Department Members

Allegations against Department members contained in a civil complaint will be handled in accordance with the General Order entitled "Civil Suits Against Members." However, if the complaint alleges conduct which would be a violation of Department rules, regulations or directives and has not been the subject of a previous Complaint Register investigation, a Complaint Register number will be obtained.

J. Verbal Abuse

1. Complaint of verbal abuse against a Department member which includes the use of profane, insolent, or disrespectful language, will require the obtaining of a Complaint Register number to record the incident and facilitate an inquiry as to its validity.
2. The manner of speaking as well as the choice of words must be considered in determining whether or not a member has verbally abused a citizen.
3. Whenever an allegation of verbal abuse is the only allegation made, in addition to complying with the applicable provisions of this order, the procedures outlined below will be followed.
 - a. The supervisor assigned to the Complaint Register investigation will record his findings on a Summary Report Digest form (CPD-44.112A).
 - b. The unit commanding officer will review the Summary Report Digest form and forward the report through channels to the Internal Affairs Division.

G.O. 99-01

Chicago Police Department

TITLE: WEAPONS DISCHARGE INCIDENTS INVOLVING
SWORN MEMBERS

ISSUE DATE: 05 March 1999

EFFECTIVE DATE: 06 March 1999

DISTRIBUTION: B

RESCINDS: General Order 85-01

I. PURPOSE

This order:

- A. outlines Department investigative and reporting procedures in weapon discharge incidents.
- B. continues the use of the Weapon Discharge Report (CPD-11.489).
- C. continues the use of the Preliminary Information/Weapons Discharge Worksheet (CPD-44.111).

II. SCOPE

Under normal circumstances, the provisions of this order will not apply to:

- A. the discharge of a firearm during:
 - 1. weapons training or practice at a recognized range facility.
 - 2. Department authorized ballistic examination or testing.
 - 3. licensed hunting activity.
- B. chemical agent use in a Department authorized training program.

III. CHEMICAL AGENT USE

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A. Member's Responsibilities - Chemical Agent Discharge Incidents.

When a member discharges a chemical agent dispensing firearm or device, the member will:

1. notify the Office of Emergency Communications (OEC) and inform the desk sergeant in the district of occurrence.
2. complete a Weapon Discharge Report.
3. submit the appropriate case report and/or other required reports.

B. Whenever possible, the ranking officer on the scene of an incident will notify the Chicago Fire Department prior to the anticipated use of a device that dispenses a chemical agent through use of pyrotechnics.

IV. DISCHARGED FIREARM: DESTROYED ANIMAL CASES

Member's Responsibilities

A. When a member discharges a firearm to destroy an animal, the member will:

1. notify the OEC immediately and inform the desk sergeant in the district of occurrence.
2. complete a Weapon Discharge Report.
3. submit a Miscellaneous Incident Exception Report (CPD-11.419) or the appropriate case report.
4. comply with all the applicable provisions of the directive entitled "Animal Cases."

B. The OEC will assign a supervisor from the district of occurrence to the scene of the incident and notify Operations Command.

C. The assigned supervisor will determine if there is any related personal injury or property damage, other than the destruction of the animal.

D. The watch commander of the district of occurrence may waive firearm inventory and ballistic examination and may authorize the member to retain his firearm

in instances in which there is no likelihood of death or injury to a person or identifiable property damage other than the destruction of the animal.

V. DISCHARGED FIREARM: OTHER THAN DESTROYED ANIMAL CASES

A. Member's Responsibilities - Weapon Discharge Incidents

1. In any instance where a member has discharged a weapon or has had gunfire directed at his person, the member (if physically capable) will:
 - a. notify the OEC immediately, and provide all relevant information.
 - b. attend to all required emergency, security, and first aid duties arising from the incident.
 - c. provide Department members conducting the investigation with information required to effect arrests and fulfill immediate law enforcement necessities.
 - d. inform the appropriate district desk sergeant.
 - e. remain on the scene (if not injured) and report to the watch commander from the district of occurrence upon his arrival.
 - f. complete a Weapon Discharge Report and other reports at the location designated by the district watch commander responsible for the investigation.

NOTE: When a member who has discharged a weapon is unable to complete the Weapon Discharge Report for any reason, it will become the responsibility of a supervisor designated by the watch commander to prepare this report.

2. A member who has discharged a weapon outside the City of Chicago will:
 - a. notify the local police agency and this Department's Operations Command.
 - b. ensure the submission of all reports connected with the incident including a Weapon Discharge Report and a To-From-Subject

report without unnecessary delay.

3. Any member having knowledge of circumstances surrounding a weapon discharge incident or who has been fired upon will provide those Department members conducting the investigation with required information, assistance, and when requested, oral and written statements.

B. Member's Statements and Interviews - Weapon Discharge Incidents

1. A member who has been involved in a weapon discharge incident will provide an oral report to the person responsible for conducting the investigation without delay and outside the presence of any other individuals.
2. When a member is notified that he must give a written statement or an oral statement in the presence of an observer, the interview may be postponed by the officer for a period of time not to exceed two hours.
3. Member's Right to Counsel and Representation.
 - a. Union members have the right to be represented by counsel or a representative of their union as authorized by their collective bargaining agreement.
 - b. Non-Union members have the right to be represented by counsel or a person of their choosing who is not an on-duty member.
 - c. The counselor/representative may advise the member but may not interfere with the interview.
4. Conduct of the Interview

When conducting an investigation of a weapon discharge incident by a Department member, the member responsible for the interview will:

- a. delay the interview only for a reasonable period of time to allow for the arrival of investigative personnel (i.e., watch commander, assistant state's attorney, Detective Division area commander, assistant deputy superintendent, assigned detective, and Office of Professional Standards investigator.)

- b. begin the interview only after investigative personnel have had a consultation to assess the facts of the incident and determine the direction of the investigation.
- c. proceed with one individual designated by the watch commander as the interviewer, and all questions directed to the member will be asked by and through this designated individual.
- d. conduct the interview so that the member is aware of the identity of the person in charge of the investigation, the interviewing member, and the identities of all persons present.

5. Allegations of Misconduct Against a Member

In any instance in which an allegation of misconduct has been made against a member or when an allegation has been made in which criminal prosecution is probable, the member will be:

- a. informed in writing of the nature of the allegations before any interrogation begins.
- b. given his statutory administrative proceeding rights, or if the allegation indicates criminal prosecution is probable against the officer, the officer will be given his constitutional rights concerning self-incrimination prior to the commencement of the interrogation.
- c. interrogated in a manner following the Conduct of Investigation procedures outlined within the directive entitled "Complaint and Disciplinary Procedures."
- d. provided with a copy of any written statement he has made without any unnecessary delay.
- e. allowed reasonable periods of time for personal necessities, meals, telephone calls, and rest.

- 6. Members may have additional rights and responsibilities as delineated in their current labor agreements. These requirements and privileges may extend beyond those detailed in Item V-B of this order.

C. Office of Emergency Communications Responsibilities - Weapon Discharge Incidents

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In all cases in which a member has discharged a weapon or has had gunfire directed at his person, the OEC will:

1. dispatch sufficient patrol units to the scene.
2. determine if a medical emergency exists and if appropriate:
 - a. notify the Chicago Fire Department to dispatch an ambulance and emergency medical service units to the scene.
 - b. inform the emergency room of the receiving hospital.
3. assign a member of the rank of sergeant or above from the district of occurrence to the scene.
4. notify the following:
 - a. the watch commander in the district of occurrence.
 - b. Operations Command.
 - c. the appropriate area Detective Division violent crimes unit.
 - d. the Office of Professional Standards (OPS).
 - e. the involved member's unit of assignment.
 - f. any other units or agencies as they are requested.

NOTE: In no instance will the name of a Department member who has been involved in a weapon discharge incident be released over the police radio.

D. Assigned Sergeant's Responsibilities - Weapon Discharge Incidents

In all cases in which a member has discharged a weapon or has had gunfire directed at his person, the assigned sergeant will:

1. proceed immediately to the scene and ensure that adequate manpower and equipment are available.

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2. ensure that an officer other than the involved member has been assigned to conduct the preliminary investigation, prepare the original case report, and relay additional information to investigating units.
3. confirm that the desk sergeant in the district of occurrence and the member's unit of assignment have been notified.
4. prepare an Officer's Battery Report (CPD-11.451), when necessary, in accordance with the directive entitled "Officer Battery Procedures."

E. Field Lieutenant's Responsibilities - Weapon Discharge Incidents

In all cases in which a member has discharged a weapon, or has had gunfire directed at his person, the field lieutenant from the district of occurrence will:

1. proceed immediately to the location of the incident and assume command of the scene until the arrival of the watch commander.
2. verify the submission of written reports from involved members in conformance with the provisions of this directive.
3. prepare a To-From-Subject report that summarizes the facts of the incident and actions taken prior to the arrival of the watch commander.

F. Watch Commander's Responsibilities - Weapon Discharge Incidents

1. In all cases in which a member has discharged a weapon or has had gunfire directed at his person, the watch commander in the district of occurrence will:
 - a. proceed to the location of the incident and assume command of the scene.
 - b. confirm that Operations Command, the appropriate violent crimes unit of the Detective Division area and the Office of Professional Standards have been notified.
 - c. verify the submission of written reports from involved members in conformance with the provisions of this directive.
 - d. conduct a complete and thorough investigation of the incident.

- e. contact the on-duty assistant deputy superintendent (ADS), Operations Command for authorization if circumstances necessitate the relocation of the investigation.
 - f. assign transportation for any member who has been involved in a traumatic incident.
 - g. assume the responsibilities of the field lieutenant if none on duty.
 - h. determine the number and type of cartridges discharged and account for all discharged cartridge cases and fired projectiles.
 - i. ensure that when conditions on the scene have stabilized, all discharged firearms are identified by serial number, inventoried, and processed in accordance with the directive entitled "Firearms Taken Into Custody or Turned In."
 - j. prepare a To-From-Subject report containing a comprehensive summary of the incident before concluding his tour of duty.
- (1) This report will contain all relevant facts known to the watch commander including details of the preliminary investigative activities.
 - (2) When a member has discharged a weapon, this report will indicate whether or not the member's conduct conformed to Department guidelines concerning the use of deadly force.
 - (3) Copies of available related reports and forms will be attached to the original and all copies of the To-From-Subject report.
 - (4) The original To-From-Subject report will be forwarded to the Office of Professional Standards. Copies will be forwarded to the First Deputy Superintendent, responsible Detective Division unit, and the commander of any affected unit.

- 2. In all cases in which a member has been injured or killed by gunfire, the watch commander in the district of occurrence will be responsible for the

duties outlined in Item V-F-1 of this directive and will additionally:

a. ensure the following individuals are notified:

(1) the district commander.

(2) the area deputy chief.

b. confirm that appropriate notifications are made to the member's family in accordance with the directive entitled "Notification of Death or Hospitalization - Members/Families."

3. In all cases in which a Department member has injured or killed a person by use of a weapon, the watch commander will be responsible for the duties outlined in Item V-F-1 of this directive and will additionally:

a. ensure the following individuals are notified:

(1) the district commander.

(2) the area deputy chief.

(3) the Office of Professional Standards and obtain a Universal (U) number.

(4) the Assistant State's Attorney's Office in accordance with the directive entitled "Felony Review by Assistant State's Attorney."

b. prepare the Preliminary Information/Weapons Discharge Worksheet, distribute copies to investigative personnel and attach the original to the watch commander's To-From-Subject report.

G. Assistant Deputy Superintendent, Operations Command, Responsibilities - Weapon Discharge Incidents

1. In all cases in which a member has discharged a weapon or has had gunfire directed at his person, the on-duty ADS, Operations Command, will:

a. proceed to the scene and ensure that a complete and thorough

investigation is conducted of the incident.

- b. designate the watch commander responsible for directing the preliminary investigation whenever the incident has occurred in more than one district.
 - c. submit a summary report to the First Deputy Superintendent which briefly outlines the pertinent facts of the investigation and forward a duplicate copy to the Office of Professional Standards.
 - d. prepare the applicable Department guideline section of the watch commander's summary report in the event that the member who has discharged the weapon is the same rank or higher than the watch commander.
2. In all cases in which a Department member has been injured or killed by gunfire or has injured or killed a person by use of a weapon, the on-duty ADS, Operations Command, will be responsible for the duties outlined in Item V-G-1 of this directive and will additionally conduct a personal investigation into the circumstances surrounding the incident and make a determination as to whether the conduct of the member conformed to Department guidelines.

H. Detective Division Command Responsibilities - Weapon Discharge Incidents

In all cases in which a member has been injured or killed by gunfire or has injured or killed a person by use of a weapon, the Detective Division area commander (or his authorized designee) will:

1. personally respond to the scene of the investigation.
 2. ensure the preservation of evidence and identification of witnesses.
 3. assume responsibility for the follow up investigation once directed by the watch commander or the on duty assistant deputy superintendent.
- I. Office of Professional Standards Responsibilities - Weapon Discharge Incidents
1. In all cases where a Department member has injured or killed a person by use of a weapon, the Office of Professional Standards will conduct a fair and impartial investigation into the circumstances surrounding the

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incident.

2. The Office of Professional Standards will investigate instances in which a Department member has been involved in a weapon discharge incident outside the Chicago Police Department's jurisdiction and the incident involves charges of misconduct against the member.
3. These investigations will follow the procedures outlined in Item V-B of this directive.

Terry G. Hillard
Superintendent of Police

97-077 AJB (ADK)

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INVESTIGATOR'S CASE LOG
OFFICE OF PROFESSIONAL STANDARDS/CHICAGO POLICE

C.R. NO. 278101 | DATE OF INCIDENT 03 Feb 02 | PAGE NO. 1

DATE	TIME	ACTIVITY	INVESTIGATOR
04 Feb 02		case assigned	IC
04 Feb 02		order Dec tape	IC
04 Feb 02		request ET photoz	IC
04 Feb 02		order crime lab tests	IC
05 Feb 02		obtain AsA's	IC
05 Feb 02	1450	canvan	IC
06 Feb 02	1145	call Personnel - re: address of @ Tracy	IC
07 Feb 02		complete CR notification Lt	IC
07 Feb 02		complete CR notification Sgt.	IC
07 Feb 02		schedule Lt. + Sgt.	IC
11 Feb 02		rec'd crime lab results	IC
13 Feb 02	1040	call DEC-PDT section per Fran Miller-pursed	IC
14 Feb 02		@ Lt + Sgt. served	IC
15 Feb 02		obtain Sgt. log + bumper Pt 811	IC
15 Feb 02		rec'd ET photoz	IC
21 Feb 02	0600	statement of @ Vasquez	IC
21 Feb 02	0600	statement of @ McGivney	IC
26 Feb 02		schedule Sgt. Hencke	IC
26 Feb 02		fax request to DOR re: licensing	IC
01 Mar 02	0600	statement of @ Hencke	IC
01 Mar 02		schedule @ P's	IC
28 Feb 02		photographs taken of 6947 W. Archer	IC
06 Mar 02		rec'd fax via Dpt. of Revenue	IC
06 Mar 02		license lookup through Dpt. of Prof. Regulations	IC

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INVESTIGATOR'S CASE LOG
OFFICE OF PROFESSIONAL STANDARDS/CHICAGO POLICE

C.R. NO 278101

DATE OF INCIDENT 03 Feb 02

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DATE	TIME	ACTIVITY	INVESTIGATOR
06 Mar 02		Complete time extension	UC
07 Mar 02		Schedule stmt. Englehardt & partner 15 Mar @ 0600hrs	UC
15 Mar 02	0600	Statement of @ Englehardt	UC
15 Mar 02	0645	Statement of @ Hayman	UC
19 Mar 02		Send request for PO Tracy to 008th District	UC
20 Mar 02	1020	Per PO Menino - no violations	UC
20 Mar 02	1410	Serve PO Magers	UC
25 Mar 02	1205	Statement of PPO Magers	UC
25 Mar 02	1355	Contact PO Bradley - training division	UC
26 Mar 02		Schedule PO Tracy	UC
28 Mar 02	1700	Schedule PO Martinez's stmt.	UC
29 Mar 02	1320	Statement of @ Tracy	UC
02 Apr 02	1210	Gun registration - Weapon n.t. registered	UC
03 Apr 02	0950	Statement of PPO Synder	UC
03 Apr 02	0950	Statement of PPO Walker	UC
03 Apr 02	1010	Statement of PPO Brandau	UC
03 Apr 02	1040	Statement of PPO Grandado	UC
03 Apr 02	1051	Statement of PPO Weir	UC
03 Apr 02		rec'd gun registration of PO Tracy	UC
04 Apr 02		Complete time extension	UC
04 Apr 02	1535	Statement of @ Martinez	UC
05 Apr 02	1310	Statement of @ Tracy	UC
05 Apr 02		Copies of change of address re Tracy	UC
05 Apr 02		Investigation completed	UC